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No. 200

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, to whom a thousand years are but a moment, help us to maximize today's possibilities with humble and grateful hearts.

Lord, please bring peace on Earth and goodwill to humanity.

Lord, have mercy upon the Ukrainian people as they seek to survive warfare during a freezing and fearful Christmas. Remind us all that humanity is wrapped up in a blanket of mutuality and tied to a single garment of destiny.

Continue to use our lawmakers as instruments of Your peace, empowering them to make the rough places smooth and the crooked places straight.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Ms. SMITH. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, it was very late last night for those of us who were here and the staff. At 2 a.m. is when we finished, 2:01, to try to reach an agreement on finishing the omnibus bill. We are getting ever closer to reaching an agreement, but we are still not there. I hope that we will lock in an agreement sometime later this morning.

In the meantime, we will start today with a vote on the confirmation of Franklin Parker to serve as Assistant Secretary of the Navy.

I want to thank my colleagues from both sides of the aisle for their cooperation. I thank the clerks for being here late, late last night as we waited and waited and waited for an agreement, which hasn't yet come, and for showing up early this morning.

And I hope we can finish the omnibus today. There is no reason why we can't. The bill is so important to get done because it will be good for families, for veterans, our national security, even for the health of our democratic institutions. To go to a CR or, even worse, a government shutdown, would be a huge disservice at any time, but particularly in the holiday season, to the American people.

To ensure that we minimize any delays, I ask Members to stay near the floor and be ready to get voting when the time comes. If we can keep this process moving, we can finish in time for Members and staff to get home for Christmas safely, before the blizzard wreaks havoc across much of the country.

I yield the floor.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Franklin R. Parker, of the District of Columbia, to be an Assistant Secretary of the Navy.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the Parker nomination?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Louisiana (Mr. KENNEDY), the Senator from Nebraska (Mr. SASSE), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—70 yeas, 22 nays, as follows:

[Rollcall Vote No. 406 Ex.]

YEAS—70

Baldwin  
Bennet

Blumenthal  
Blunt

Booker  
Brown

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Cantwell	Inhofe	Rosen
Capito	Kaine	Rounds
Cardin	Kelly	Schatz
Carper	King	Schumer
Casey	Klobuchar	Shaheen
Collins	Leahy	Sinema
Coons	Lujan	Smith
Cornyn	Manchin	Stabenow
Cortez Masto	Markey	Sullivan
Duckworth	McConnell	Tester
Durbin	Menendez	Thune
Ernst	Merkley	Toomey
Feinstein	Moran	Van Hollen
Fischer	Murkowski	Warner
Gillibrand	Murphy	Warnock
Grassley	Murray	Warren
Hassan	Ossoff	Whitehouse
Heinrich	Padilla	Wicker
Hickenlooper	Peters	Wyden
Hirono	Portman	Young
Hoeben	Reed	
Hyde-Smith	Romney	

## NAYS—22

Blackburn	Hagerty	Risch
Boozman	Hawley	Rubio
Braun	Johnson	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cotton	Lee	Shelby
Crapo	Lummis	Tuberville
Cruz	Marshall	
Daines	Paul	

## NOT VOTING—8

Barrasso	Graham	Sasse
Burr	Kennedy	Tillis
Cramer	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

# AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

The PRESIDING OFFICER. The Senate will resume legislative session.

The clerk will report the pending business.

The legislative clerk read as follows:

House message to accompany H.R. 2617, a bill to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, taking action on the following amendments and motions proposed thereto.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate No. 4 to the bill, with Schumer (for Leahy) amendment No. 6552, in the nature of a substitute.

Schumer amendment No. 6571 (to amendment No. 6552), to add an effective date.

Schumer motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, Schumer amendment No. 6572, to add an effective date.

Schumer amendment No. 6573 (to the instructions (amendment No. 6572) of the motion to refer), to modify the effective date.

Schumer amendment No. 6574 (to amendment No. 6573), to modify the effective date.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the following

be the only matters remaining in order to the House message with respect to H.R. 2617; that the amendments be called up en bloc, reported by number, and considered in order: Paul, No. 6561, and a motion to waive; Johnson, No. 6555; Johnson, No. 6559; Sinema-Tester, No. 6621; Lee, No. 6563; Lee, No. 6576; Lankford, No. 6577; Braun, No. 6569; Cassidy, No. 6558; Padilla-Cornyn, No. 6588; Graham, No. 6596; Merkley, No. 6595; Klobuchar-Lee, No. 6597; Gillibrand, No. 6607; Menendez-Cotton, No. 6617; that the Senate then proceed to the immediate consideration of the Scott of Florida bill that is at the desk; that the bill be considered read a third time and the Senate vote on passage of the bill; that if the bill is passed, the motion to reconsider be considered made and laid upon the table; that upon disposition of the Scott bill, the Senate resume consideration of the House message; further, that the Senate then vote on the motion to waive, if made, and in relation to the amendments in the order listed; that upon disposition of the amendments, the motion to refer be withdrawn, amendment No. 6571 be withdrawn, and the Senate then vote on the motion to concur in the House amendment to the Senate amendment No. 4 to H.R. 2617 with amendment No. 6552, as amended, if amended, with 2 minutes for debate equally divided between each vote and all votes after the first vote be 10-minute votes, with 60 affirmative votes required for passage of the Scott bill, the motion to concur with amendment, and the adoption of all amendments except No. 6555, No. 6577, No. 6563, and No. 6576; finally, that if the motion to concur with amendment is agreed to, the motion to reconsider be considered made and laid upon the table, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, we have an agreement now. We will vote on all of the amendments in order and then vote on final passage. It has taken a while, but it is worth it. And I appreciate the cooperation of everyone here.

The first vote will take a while, until the Members can assemble. But after that, I hope, we intend that everyone will sit in their seat and we vote through the amendments quickly. As we know, the storm is coming. We want to have people vote, get the bill done, but then be able to go home once we have done our work.

So please cooperate, and no appointments far away. We are going to vote quickly, 10-minute votes on each, and, hopefully, Members will sit in their chairs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NOS. 6561, 6555, 6569, 6621, 6563, 6576, 6577, 6569, 6558, 6588, 6596, 6595, 6597, 6607, 6617

The PRESIDING OFFICER. Under the previous order, the following amendments will be called en bloc and reported by number.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes amendments en bloc numbered 6561, 6555, 6569, 6621, 6563, 6576, 6577, 6569, 6558, 6588, 6596, 6595, 6597, 6607, 6617.

The amendments are as follows:

## AMENDMENT NO. 6561

(Purpose: To increase the voting threshold for budget points of order)

At the appropriate place, insert the following:

## SEC. \_\_\_\_ . VOTING THRESHOLD FOR BUDGET POINTS OF ORDER.

(a) DEFINITION.—In this section, the term “covered point of order” means a point of order under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.), the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), or a concurrent resolution on the budget.

(b) VOTING THRESHOLD.—In the Senate—

(1) a covered point of order may be waived only by the affirmative vote of two-thirds of the Members, duly chosen and sworn; and

(2) an affirmative vote of two-thirds of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a covered point of order.

## AMENDMENT NO. 6555

(Purpose: To eliminate all earmarks in the bill)

On page 6, after line 2, add the following:

## SEC. 7. ELIMINATION OF EARMARKS.

(a) IN GENERAL.—Notwithstanding any other provision of any division of this Act—

(1) no amounts shall be made available for a purpose specified in any table relating to congressionally directed spending in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or for any congressionally directed spending in any division of this Act, and each such item of congressionally directed spending is null and void;

(2) each appropriation under any division of this Act shall be reduced by the amount of any allocation of such appropriation for congressionally directed spending items that is made null and void by paragraph (1); and

(3) each allocation of an appropriation under any division of this Act shall be reduced by the amount of any further allocation of such allocation of an appropriation for congressionally directed spending items that is made null and void by paragraph (1).

(b) REPORT.—The Director of the Office of Management and Budget shall submit to Congress a report indicating the final amount appropriated for each appropriation account for which amounts are made available under any division of this Act and the amount of each allocation of such an appropriation, as reduced in accordance with subsection (a).

## AMENDMENT NO. 6569

(Purpose: To eliminate a waiver of State immunity)

Strike section \_\_\_\_ 6 (relating to a waiver of State immunity).

## AMENDMENT NO. 6621

(Purpose: To appropriate amounts for the Executive Office for Immigration Review, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, the

Federal Emergency Management Agency, U.S. Citizenship and Immigration Services, refugee and entrant assistance, and other Federal agencies.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6563

(Purpose: To prohibit the expenditure of Federal funds to terminate the prohibitions on entry into the United States that are commonly referred to as Title 42)

On page 757, between lines 15 and 16, insert the following:

SEC. 550. None of the funds provided by this Act may be obligated or expended to terminate the prohibitions on entry into the United States issued pursuant to sections 362 and 365 of the Public Health Service Act (42 U.S.C. 265 and 268) as a result of the public health emergency relating to the Coronavirus Disease 2019 (COVID-19) pandemic declared under section 319 of such Act (42 U.S.C. 247d) on January 31, 2020 (popularly known as "Title 42").

#### AMENDMENT NO. 6576

(Purpose: To provide for the continuation of pay and benefits for Lieutenant Ridge Alkonis)

On page 410, after line 25, add the following:

SEC. 8145. The Secretary of the Navy shall continue to provide pay and allowances to Lieutenant Ridge Alkonis, United States Navy, until such time as the Secretary of the Navy makes a determination with respect to the separation of Lieutenant Alkonis from the Navy.

#### AMENDMENT NO. 6577

(Purpose: To establish a rule of construction relating to religious entities)

Strike section \_\_\_\_7(b) and insert the following:

(b) RULE OF CONSTRUCTION.—This division shall not be construed to require a religious entity described in section 702(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1(a)) to make an accommodation that would violate the entity's religion (as defined in section 701(j) of such Act (42 U.S.C. 2000e(j))).

#### AMENDMENT NO. 6569

(Purpose: To eliminate a waiver of State immunity)

Strike section \_\_\_\_6 (relating to a waiver of State immunity).

#### AMENDMENT NO. 6558

(Purpose: To eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6588

(Purpose: To amend title VI of the Social Security Act to allow States and local governments to use coronavirus relief funds provided under the American Rescue Plan Act for infrastructure projects, improve the Local Assistance and Tribal Consistency Fund, provide Tribal governments with more time to use Coronavirus Relief Fund payments, and for other purposes.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6596

(Purpose: To authorize the transfer of the proceeds of certain forfeited property to help Ukraine recover from the harms caused by the ongoing Russian aggression)

On page 1857, after line 23, add the following:

SEC. 1708. (a) The Attorney General may transfer to the Secretary of State the proceeds of any covered forfeited property for use by the Secretary of State to provide assistance to Ukraine to remediate the harms of Russian aggression towards Ukraine. Any such transfer shall be considered foreign assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), including for purposes of making available the administrative authorities and implementing the reporting requirements contained in that Act.

(b) Not later than 15 days after any transfers made pursuant to subsection (a), the Attorney General, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit a report describing such transfers to the appropriate congressional committees.

(c) In this section:

(1) The term "appropriate congressional committees" means—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on the Judiciary of the House of Representatives;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Financial Services of the House of Representatives; and

(H) the Committee on Appropriations of the House of Representatives.

(2) The term "covered forfeited property" means property forfeited under chapter 46 or section 1963 of title 18, United States Code, which property belonged to, was possessed by, or was controlled by a person subject to sanctions and designated by the Secretary of the Treasury or the Secretary of State, or which property was involved in an act in violation of sanctions enacted pursuant to Executive Order 14024, and as expanded by Executive Order 14066 of March 8, 2022, and relied on for additional steps taken in Executive Order 14039 of August 20, 2021, and Executive Order 14068 of March 11, 2022.

(d) The authority under this section shall apply to any covered forfeited property forfeited on or before May 1, 2025.

#### AMENDMENT NO. 6595

(Purpose: To amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6597

(Purpose: To improve the bill)

Strike division GG and insert the following:

### DIVISION GG—MERGER FILING FEE MODERNIZATION

#### SEC. 101. SHORT TITLE.

This division may be cited as the "Merger Filing Fee Modernization Act of 2022".

#### TITLE I—MODERNIZING MERGER FILING FEE COLLECTIONS; ACCOUNTABILITY REQUIREMENTS; LIMITATION ON FUNDING

#### SEC. 101. MODIFICATION OF PREMERGER NOTIFICATION FILING FEES.

Section 605 of Public Law 101-162 (15 U.S.C. 18a note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "\$45,000" and inserting "\$30,000";

(ii) by striking "\$100,000,000" and inserting "\$161,500,000";

(iii) by striking "2004" and inserting "2023"; and

(iv) by striking "2003" and inserting "2022";

(B) in paragraph (2)—

(i) by striking "\$125,000" and inserting "\$100,000";

(ii) by striking "\$100,000,000" and inserting "\$161,500,000";

(iii) by striking "but less" and inserting "but is less"; and

(iv) by striking "and" at the end;

(C) in paragraph (3)—

(i) by striking "\$280,000" and inserting "\$250,000"; and

(ii) by striking the period at the end and inserting "but is less than \$1,000,000,000 (as so adjusted and published);"; and

(D) by adding at the end the following:

"(4) \$400,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than \$1,000,000,000 (as so adjusted and published) but is less than \$2,000,000,000 (as so adjusted and published);

"(5) \$800,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than \$2,000,000,000 (as so adjusted and published) but is less than \$5,000,000,000 (as so adjusted and published); and

"(6) \$2,250,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than \$5,000,000,000 (as so adjusted and published)."; and

(2) by adding at the end the following:

"(c)(1) For each fiscal year commencing after September 30, 2023, the filing fees in this section shall be increased by an amount equal to the percentage increase, if any, in the Consumer Price Index, as determined by the Department of Labor or its successor, for the year then ended over the level so established for the year ending September 30, 2022.

"(2) As soon as practicable, but not later than January 31 of each year, the Federal Trade Commission shall publish the adjusted amounts required by paragraph (1).

"(3) The Federal Trade Commission shall not adjust amounts required by paragraph (1) if the percentage increase described in paragraph (1) is less than 1 percent.

"(4) An amount adjusted under this section shall be rounded to the nearest multiple of \$5,000."

#### SEC. 102. REPORTING REQUIREMENTS FOR MERGER FEE COLLECTIONS.

(a) FTC AND DOJ JOINT REPORT.—For each of fiscal years 2023 through 2027, the Federal Trade Commission and Department of Justice shall jointly and annually report to the Congress on the operation of section 7A of the Clayton Act (15 U.S.C. 18a) and shall include in such report the following:

(1) The amount of funds made available to the Federal Trade Commission and the Department of Justice, respectively, from the premerger notification filing fees under this section, as adjusted by the Merger Filing Fee Modernization Act of 2022, as compared to the funds made available to the Federal Trade Commission and the Department of Justice, respectively, from premerger notification filing fees as the fees were determined in fiscal year 2022.

(2) The total revenue derived from premerger notification filing fees, by tier, by the Federal Trade Commission and the Department of Justice, respectively.

(3) The gross cost of operations of the Federal Trade Commission, by Budget Activity, and the Antitrust Division of the Department of Justice, respectively.

(b) FTC REPORT.—The Federal Trade Commission shall include in the report required under subsection (a), in addition to the requirements under subsection (a), for the previous fiscal year—

(1) for actions with respect to which the record of the vote of each member of the Federal Trade Commission is on the public record of the Federal Trade Commission, a list of each action with respect to which the Federal Trade Commission took or declined to take action on a 3 to 2 vote; and

(2) for all actions for which the Federal Trade Commission took a vote, the percentage of such actions that were decided on a 3 to 2 vote.

(c) SUMMARY.—The Federal Trade Commission and the Department of Justice shall make the report required under subsection (a) available to the Committees on the Judiciary of the House of Representatives and of the Senate, and shall, for fiscal years 2023 through 2027, no later than July 1, present a summary of the joint annual report for the preceding fiscal year, including the information required in subsections (a) and (b) of this section, to the Committees on the Judiciary of the House of Representatives and of the Senate.

## TITLE II—DISCLOSURE OF SUBSIDIES BY FOREIGN ADVERSARIES

### SEC. 201. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Foreign subsidies, which can take the form of direct subsidies, grants, loans (including below-market loans), loan guarantees, tax concessions, preferential government procurement policies, or government ownership or control, can distort the competitive process by enabling the subsidized firm to submit a bid higher than other firms in the market, or otherwise change the incentives of the firm in ways that undermine competition following an acquisition.

(2) Foreign subsidies are particularly problematic when granted by countries or entities that constitute a strategic or economic threat to United States interests.

(3) The Made in China 2025 plan, states that the Chinese Communist Party will “support enterprises to carry out mergers and acquisitions (M&A), equity investment, and venture capital overseas”.

(4) The 2020 report to Congress from the bipartisan U.S.-China Economic and Security Review Commission concluded that the Chinese Government subsidizes companies with a goal of their expanding into the United States and other countries, finding that “[t]his process assists Chinese national champions in surpassing and supplanting global market leaders”. The report warns that the risk is particularly acute when it comes to emerging technologies, where China seeks to “surpass and displace the United States altogether [and that] [f]ailure to appreciate the gravity of this challenge and defend U.S. competitiveness would be dire . . . [and] risks setting back U.S. economic and technological progress for decades”.

(5) In remarks before the Hudson Institute on December 8, 2020, FTC Commissioner Noah Phillips stated, “[O]ne area where antitrust needs to reckon with the strategic interests of other nations is when we scrutinize mergers or conduct involving state-owned entities . . . companies that are controlled, to varying degrees, by the state . . . [and] often are a government tool for implementing industrial policies or to protect national security”.

(b) PURPOSE.—The purpose of this section is to require parties providing pre-merger notifications to include in the notification required under section 7A of the Clayton Act (15 U.S.C. 18a) information concerning subsidies they receive from countries or entities that are strategic or economic threats to the United States.

### SEC. 202. MERGERS INVOLVING FOREIGN GOVERNMENT SUBSIDIES.

(a) DEFINITION.—In this section, the term “foreign entity of concern” has the meaning given the term in section 40207 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)).

(b) ACCOUNTING FOR FOREIGN GOVERNMENT SUBSIDIES.—A person required to file a notification under section 7A of the Clayton Act (15 U.S.C. 18a) that received a subsidy from a foreign entity of concern shall include in such notification content regarding such subsidy.

(c) AUTHORITY OF ANTITRUST REGULATORS.—The Federal Trade Commission, with the concurrence of the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, and in consultation with the Chairperson of the Committee on Foreign Investment in the United States, the Secretary of Commerce, the Chair of the United States International Trade Commission, the United States Trade Representative, and the heads of other appropriate agencies, and by rule in accordance with section 553 of title 5, United States Code, shall require that the notification required under subsection (b) be in such form and contain such documentary material and information relevant to a proposed acquisition as is necessary and appropriate to enable the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice to determine whether such acquisition may, if consummated, violate the antitrust laws.

(d) EFFECTIVE DATE.—Subsection (b) shall take effect on the date on which the rule described in subsection (c) takes effect.

## TITLE III—VENUE FOR STATE ANTITRUST ENFORCEMENT

### SEC. 301. VENUE FOR STATE ANTITRUST ENFORCEMENT.

Section 1407 of title 28, United States Code, is amended—

(1) in subsection (g) by inserting “or a State” after “United States” and striking “; but shall not include section 4A of the Act of October 15, 1914, as added July 7, 1955 (69 Stat. 282; 15 U.S.C. 15a)”;

(2) by striking subsection (h).

AMENDMENT NO. 6607

(Purpose: To establish a World Trade Center Health Program Supplemental Fund)

At the end of division FF, add the following:

## TITLE VII—SUPPLEMENTAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM

### SEC. 7701. SUPPLEMENTAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM.

(a) IN GENERAL.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended by adding at the end the following:

#### “SEC. 3352. SUPPLEMENTAL FUND.

“(a) IN GENERAL.—There is established a fund to be known as the World Trade Center Health Program Supplemental Fund (referred to in this section as the ‘Supplemental Fund’), consisting of amounts deposited into the Fund under subsection (b).

“(b) AMOUNT.—Out of any money in the Treasury not otherwise appropriated, there is appropriated for fiscal year 2023 \$1,000,000,000, for deposit into the Supplemental Fund, which amounts shall remain available through fiscal year 2032.

“(c) USES OF FUNDS.—Amounts deposited into the Supplemental Fund under subsection (b) shall be available, without further appropriation and without regard to any spending limitation under section

3351(c), to the WTC Program Administrator as needed at the discretion of such Administrator, for carrying out any provision in this title, including sections 3303 and 3341(c).

“(d) RETURN OF FUNDS.—Any amounts that remain in the Supplemental Fund on September 30, 2032, shall be deposited into the Treasury as miscellaneous receipts.”.

(b) CONFORMING AMENDMENTS.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended—

(1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C. 300mm–21(a)(4)(B)(i)(II)), by striking “section 3351” and inserting “sections 3351 and 3352”;

(2) in section 3321(a)(3)(B)(i)(II) (42 U.S.C. 300mm–31(a)(3)(B)(i)(II)), by striking “section 3351” and inserting “sections 3351 and 3352”;

(3) in section 3331 (42 U.S.C. 300mm–41)—

(A) in subsection (a), by inserting “and the World Trade Center Health Program Supplemental Fund” before the period at the end; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(ii) in paragraph (2), in the flush text following subparagraph (C), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(4) in section 3351(b) (42 U.S.C. 300mm–61(b))—

(A) in paragraph (2), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end; and

(B) in paragraph (3), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end.

(c) PREVENTION AND PUBLIC HEALTH FUND.—Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11(b)) is amended—

(1) in paragraph (8), by striking “\$1,800,000,000; and” and inserting “\$1,525,000,000;”;

(2) by striking paragraph (9) and inserting the following:

“(9) for each of fiscal years 2028 and 2029, \$1,725,000,000; and”;

(3) by adding at the end the following:

“(10) for fiscal year 2030 and each fiscal year thereafter, \$2,000,000,000.”.

### SEC. 7702. RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.

(a) IN GENERAL.—Section 3341 of the Public Health Service Act (42 U.S.C. 300mm–51) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “With respect” through “subtitle B, the” and inserting “The”; and

(B) by striking “of such individuals” each place it appears;

(2) in subsection (b)(1), by inserting “and individuals who were exposed within a geographic area related to the September 11, 2001, terrorist attacks in a manner similar to the exposure within such geographic area experienced by individuals meeting the eligibility criteria under section 3311(a)(2) or 3321(a)(1)(B)” after “treatment”;

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(4) by inserting after subsection (b) the following:

“(c) RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.—

“(1) IN GENERAL.—The WTC Program Administrator, in consultation with the Secretary of Education, shall establish a research cohort of sufficient size to conduct future research studies on the health and educational impacts of exposure to airborne toxins, or any other hazard or adverse condition, resulting from the September 11, 2001, terrorist attacks, including on the population of individuals who were 21 years of age or younger at the time of exposure, including such individuals who are screening-eligible WTC survivors or certified-eligible WTC survivors.”

“(2) POPULATIONS STUDIED.—The research cohort under paragraph (1) may include—

“(A) individuals who, on September 11, 2001, were 21 years of age or younger and were—

“(i) outside the New York City disaster area; and

“(ii) in—

“(I) the area of Manhattan not further north than 14th Street; or

“(II) Brooklyn; and

“(B) control populations, including populations of individuals who, on September 11, 2001, were 21 years of age or younger.”

(b) FUNDING.—Section 3351(b) of such Act (42 U.S.C. 300mm-61(b)) is amended by inserting after paragraph (3) the following:

“(4) LIMITATION FOR RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.—Notwithstanding paragraph (1), the amounts made available under such paragraph may not be used for fiscal years 2023 through 2032 to carry out subsection (c) of section 3341.”

(c) CONFORMING AMENDMENT.—Section 3301(f)(2)(E) of such Act (42 U.S.C. 300mm(f)(2)(E)) is amended by striking “section 3341(a)” and inserting “subsection (a) or (c) of section 3341”.

#### AMENDMENT NO. 6617

(Purpose: To improve the Justice for United States Victims of State Sponsored Terrorism Act.)

(The amendment is printed in today's RECORD under “Text of Amendments.”)

Mr. SCHUMER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 5355, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 5355) making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2023, and for other purposes.

The PRESIDING OFFICER. There is now 2 minutes of debate, equally divided.

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, immediately after Hurricane Ian

passed, I made clear that I would fight for and support a standalone disaster aid package to get Floridians the assistance they need to recover.

On September 30, just 2 days after Ian made its catastrophic landfall near Fort Myers, FL, I wrote to my colleagues urging them to work with me on getting much needed aid to Florida families as quickly as possible.

Immediately after, the aid Floridians desperately needed was delayed so that it could be stuffed into this massive and reckless \$1.7 trillion omnibus bill. While that is disappointing enough, I have now heard from Floridians, especially our growers in agriculture, that without changes, this disaster aid will not be delivered in the most efficient and effective way possible to ensure their recovery.

We should take this opportunity to act on their concerns today and make needed changes that ensure this Federal disaster aid does as much good as possible. There is no reason to delay this further. I urge my colleagues to stand with those recovering from these terrible storms and the folks who put the food on our tables. Please support this bill.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I spoke on this matter earlier this week, and I still agree with the Senator from Florida that we have a responsibility to help Americans in the wake of disasters. It does not matter if you are a Republican or a Democrat, or if you are from a blue State or a red State. As Americans, we have to stand together to help our communities recover and rebuild.

I have done that on this floor for 48 years—voting for disaster bills for all States. But I believe in reality, not rhetoric. We don't have time to play politics or for sound bites. We have to enact the omnibus bill now, and that will get the aid to people in Florida and other communities that need it most.

So I would urge all Senators to vote for the omnibus, and let us get these things done. It is time to go forward. We don't have time for further delay.

The PRESIDING OFFICER (Ms. ROSEN). Under the previous order, the bill is considered read a third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. SCOTT of Florida. I ask for the yeas and nays.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. Kaine) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator

from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), and the Senator from Nebraska (Mr. SASSE).

The result was announced—yeas 22, nays 73, as follows:

[Rollcall Vote No. 407 Leg.]

#### YEAS—22

Blackburn	Hawley	Scott (SC)
Blunt	Hyde-Smith	Sullivan
Braun	Johnson	Tillis
Cassidy	Kennedy	Tuberville
Crapo	Lummis	Wicker
Cruz	Risch	Young
Daines	Rubio	
Hagerty	Scott (FL)	

#### NAYS—73

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Portman
Blumenthal	Hirono	Reed
Booker	Hoeven	Romney
Boozman	Inhofe	Rosen
Brown	Kelly	Rounds
Cantwell	King	Sanders
Capito	Klobuchar	Schatz
Cardin	Lankford	Schumer
Carper	Leahy	Shaheen
Casey	Lee	Shelby
Collins	Lujan	Sinema
Coons	Manchin	Smith
Cornyn	Markey	Stabenow
Cortez Masto	Marshall	Tester
Cotton	McConnell	Thune
Duckworth	Menendez	Toomey
Durbin	Merkley	Van Hollen
Ernst	Moran	Warner
Feinstein	Murkowski	Warnock
Fischer	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Grassley	Padilla	
Hassan	Paul	

#### NOT VOTING—5

Barrasso	Cramer	Sasse
Burr	Kaine	

The PRESIDING OFFICER. On this vote, the yeas are 22, the nays are 73.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the bill is not passed.

The bill (S. 5355) was rejected.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023—Continued

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, now, may I have the attention of everybody, please?

OK. I urge everybody to stay in their seats. We are having 10-minute votes. We have to get out of here as quickly as possible, so we need cooperation from everybody. OK? Thank you.

The PRESIDING OFFICER. The Senator from Kentucky.

#### POINT OF ORDER

Mr. PAUL. Madam President, for years, Members of Congress have lamented their inability to control spending and debt. On rare occasions, though, Congress has actually passed rules to try to tame their primal urge to borrow and spend.

From Gramm-Rudman-Hollings to PAYGO, good legislation is out there to restrain deficit spending, only to be universally ignored and rejected by future Congresses.

Today's legislation breaks the Congressional Budget Act rules, so congressional leaders have included in this monstrous spending bill language to simply waive the PAYGO rules. Congress has time and time again waived its own rules, and the result has been over \$31 trillion in debt, inflation, and a weakened economy.

Let's respect the American people by being responsible stewards of their tax dollars and adhering to our own budget rules.

The pending measure, Senate amendment No. 6552, contains matter in division O, title X, section 1001(d) that relates to the operation of the Statutory Pay-As-You-Go Act of 2010, which is matter within the jurisdiction of the Budget Committee. The pending measure was neither reported nor discharged from the Budget Committee.

Therefore, I raise a point of order against this measure pursuant to section 306 of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Vermont.

#### MOTION TO WAIVE

Mr. SANDERS. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act and any other applicable budget points of order for purposes of the pending message, and I ask for the yeas and nays.

But before that, let me be very clear. If we do not waive this budget point of order raised by Senator PAUL, it will kill the entire appropriations bill that we are debating, not just this section dealing with sequestration. In other words, if we do not waive this budget point of order, the government will shut down just before Christmas—not a particularly nice Christmas gift to give to the American people.

This bill—this omnibus bill—is not the bill that I would have written, not the bill that anybody else here would have written, but it includes a 30-percent increase in the Child Care and Development Block Grant Program, nearly \$1 billion more for Head Start, doubles funding for community schools to \$150 million, and does many other important things.

I would urge my colleagues to waive this point of order, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The yeas and nays resulted—yeas 65, nays 31, as follows:

[Rollcall Vote No. 408 Leg.]

#### YEAS—65

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Inhofe	Rounds
Blunt	Kaine	Sanders
Booker	Kelly	Schatz
Boozman	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Shelby
Capito	Lujan	Sinema
Cardin	Manchin	Smith
Carper	Markley	Stabenow
Casey	McConnell	Tester
Collins	Menendez	Thune
Coons	Merkley	Van Hollen
Cortez Masto	Moran	Warner
Cotton	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Ossoff	Wicker
Graham	Padilla	Wyden
Hassan	Peters	Young
Heinrich	Portman	

#### NAYS—31

Blackburn	Hawley	Romney
Braun	Hoeven	Rubio
Cassidy	Hyde-Smith	Sasse
Cornyn	Johnson	Scott (FL)
Crapo	Kennedy	Scott (SC)
Cruz	Lankford	Sullivan
Daines	Lee	Tillis
Ernst	Lummis	Toomey
Fischer	Marshall	Tuberville
Grassley	Paul	
Hagerty	Risch	

#### NOT VOTING—4

Barrasso	Cramer
Burr	Gillibrand

The PRESIDING OFFICER. On this vote the yeas are 65, the nays are 31.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Can I have the attention of the Chamber? That was a 12-minute vote. We can do 2 minutes better. Please stay in your seats.

The PRESIDING OFFICER. The Senator from Kentucky.

#### AMENDMENT NO. 6561

Mr. PAUL. Just moments ago, I made a budget point of order against a 4,155-page bill spending \$1.7 trillion that was given to us in the middle of the night at 1:30 in the morning.

The point of order was waived, as it always has been by the Senate. It has become far too easy for Congress to escape its own rules designed to prevent reckless spending.

There hasn't been enough time for a single person to have read this entire bill. The bill and process ignores soaring inflation, rising interest rates, and our ballooning debt of \$31 trillion.

Enough is enough. I now ask my colleagues to support my amendment to raise the threshold to waive a budget point of order from three-fifths to two-thirds.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I rise in strong opposition to Senator PAUL's amendment.

This amendment would require 67 Senators to waive a budget point of order instead of 60. In other words, if this amendment were passed, a tiny

minority of U.S. Senators could prevent action on a national healthcare crisis, an economic crisis, or a natural disaster. That would put the people of this country, in my view, in a very dangerous position.

I urge my colleagues to vote no on the Paul amendment.

#### VOTE ON AMENDMENT NO. 6561

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The yeas and nays resulted—yeas 34, nays 63, as follows:

[Rollcall Vote No. 409 Leg.]

#### YEAS—34

Blackburn	Hoeven	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Johnson	Sasse
Cornyn	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Daines	Marshall	Toomey
Ernst	Moran	Tuberville
Fischer	Paul	Young
Hagerty	Risch	
Hawley	Romney	

#### NAYS—63

Baldwin	Hassan	Peters
Bennet	Heinrich	Portman
Blumenthal	Hickenlooper	Reed
Blunt	Hirono	Rosen
Booker	Inhofe	Sanders
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Shelby
Carper	Leahy	Sinema
Casey	Lujan	Smith
Cassidy	Manchin	Stabenow
Collins	Markley	Tester
Coons	McConnell	Tillis
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wicker
Grassley	Padilla	Wyden

#### NOT VOTING—3

Barrasso	Burr	Cramer
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The PRESIDING OFFICER (Mr. BOOKER). On this vote, the yeas are 34, the nays are 63.

Under the previous order requiring 60 votes for the adoption of the amendment, the amendment is not agreed to.

The amendment (No. 6561) was rejected.

The PRESIDING OFFICER. The leader.

Mr. SCHUMER. Mr. President, that one was 11. We are making progress.

Will Members please sit in their seats when called and speak loudly so the clerk can hear how you vote. That will speed things up a little more. Maybe we can even break the 10-minute mark.

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate prior to the vote in relation to Johnson amendment No. 6555.

The Senator from Wisconsin.

AMENDMENT NO. 6555

Mr. JOHNSON. Mr. President, according to the National Association of State Budget Officers in a report it just issued, States are sitting on a surplus, cumulatively, of over \$250 billion. In addition to that, they have rainy day funds approaching over \$130 billion. That totals up to about \$380 billion. This omnibus is going to spend somewhere around \$1.7 trillion; yet it is still not enough.

Here are the 625 pages of earmarks—almost \$10 billion worth of additional money going to the States when they are sitting on close to \$400 billion in surpluses. This is grotesque.

Earmarks are the gateway drug to the mortgaging of our children's futures. This abuse must stop. My amendment simply eliminates all of the earmarks from this grotesque omnibus bill.

I ask my colleagues to support the elimination of all of the earmarks in this bill.

The PRESIDING OFFICER. The President pro tempore.

Mr. LEAHY. Mr. President, the Johnson amendment asks us to cede the power of the purse to public servants in the executive branch who are unaccountable to the voters. These public servants, dedicated though they may be, cannot possibly share the depth of knowledge we hold about our constituents and the communities in our States. I strongly urge the Members of this Chamber to reject abdicating the power of the purse—given to the legislative branch under the Constitution—as the Senator from Wisconsin's amendment asks us to do.

As a Senator from Vermont, I speak with community leaders, dairy farmers, small business owners, and Vermonters across my State every day. I have done this for 48 years. I have a deep understanding of Vermont and Vermonters.

Through congressionally directed spending, we can use this knowledge to invest tax dollars directly back into taxpayer communities. We can make these investments in everything from infrastructure, to community health centers and workforce development, to afterschool programs.

In fact, under rule X-L-I-V—rule 44—and additional rules that I established last year, we have unprecedented transparency and accountability for the congressionally directed spending contained in this bill—far more transparency than we have had at any time in my 48 years in the Senate.

Congressionally directed spending is not a new concept. In fact, it dates back more than 230 years when funding for the Cape Henry lighthouse, which still stands today, was included in a 1790 spending bill. After the misguided ban on congressionally directed spend-

ing in 2011, I was proud to restore the power of the purse to the Senate with new guardrails to improve transparency and accountability.

These guardrails include rule XLIV—44—of the Standing Rules of the Senate, which requires each earmark to be clearly identified in the committee and conference reports and certification that neither we nor any member of our immediate family would financially benefit from the requests we made. In fiscal year 2022, I implemented even more rigorous standards to this process.

We required Senators to make their requests public on their websites and make public any items that were funded in the appropriations bills. We also required the GAO to audit a sample of enacted congressionally directed spending items in order to increase accountability for the projects that are funded and to restore the trust of the American people in this process. And we put a 1-percent cap on all congressionally directed spending items, and we banned congressionally directed spending items to for-profit entities.

I am proud to say that we met each of these requirements in fiscal year 2022, and they remain in place in the bill we are considering today. I am also proud of all the projects I was able to fund for Vermont in this bill and across my career here in the Senate.

The question before us is simple: Who do we want to control the purse strings of the Federal Government—the unaccountable bureaucrats in the executive branch or the representatives of the people?

I think the answer is clear, and I strongly urge every Member of this Chamber to reject the Johnson amendment.

VOTE ON AMENDMENT NO. 6555

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. JOHNSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 34, nays 63, as follows:

[Rollcall Vote No. 410 Leg.]

YEAS—34

Blackburn	Hagerty	Paul
Braun	Hawley	Portman
Cornyn	Hoeven	Risch
Cotton	Hyde-Smith	Romney
Crapo	Johnson	Rounds
Cruz	Kennedy	Rubio
Daines	Lankford	Sasse
Ernst	Lee	Scott (FL)
Fischer	Lummis	
Grassley	Marshall	

Scott (SC)  
Tester

Thune  
Toomey

Tuberville  
Young

NAYS—63

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Blunt	Hirono	Rosen
Booker	Inhofe	Sanders
Boozman	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Capito	Klobuchar	Shelby
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Cassidy	Markey	Sullivan
Collins	McConnell	Tillis
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Moran	Warnock
Durbin	Murkowski	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wicker
Graham	Ossoff	Wyden

NOT VOTING—3

Barrasso Burr Cramer

The PRESIDENT pro tempore. On this vote, the yeas are 34, the nays are 63. The amendment is not agreed to.

The amendment (No. 6555) was rejected.

The PRESIDENT pro tempore. Under the previous order, there will now be 2 minutes of debate prior to the vote in relation to Johnson amendment No. 6559.

The Senator from New York.

Mr. SCHUMER. Mr. President, that was 8½ minutes. Let's keep it up. Stay in your seats.

(Applause.)

The PRESIDENT pro tempore. The Senator from Wisconsin.

AMENDMENT NO. 6559

Mr. JOHNSON. Mr. President, I have a chart showing monthly apprehensions of the southwest border since 2012. This little blip over here in 2014, this is the humanitarian crisis declared by President Obama when monthly apprehensions exceeded about 60,000 a month.

President Trump had to deal with, in one month, about 4,000 people a day but still under 150,000 people per month. He solved the problem by returning people and having a consequence for illegal entry into this country.

President Biden took office, opened up the border, and now we are exceeding over 200,000 people entering this country illegally every month.

This is a crisis. This is a humanitarian crisis, but this administration won't even admit it is a problem. They say it is a challenge.

My amendment is pretty simple. It takes whatever funds are appropriate for transporting illegal immigrants and only allows those funds to be used to send them home or to a safe third country or to Mexico or to a detention facility here in America. We need a consequence. We have to secure our border. This is out of control.

I ask all my colleagues to support my amendment.

The PRESIDENT pro tempore. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I am going to strongly urge opposition to this amendment.



To be honest, this amendment uses terms that are not traditionally used in the immigration code, so it is really pretty hard to understand what the impact is going to be.

If the intent is for these transportation restrictions to apply to asylum seekers, then the amendment effectively ends the asylum program for everyone. I am, frankly, not sure there is even Republican consensus to do that.

If it is not meant to apply to asylum seekers, then the strange drafting has really bad—probably unintended—consequences.

For instance, if an individual were here on a student visa and they committed a serious crime, this amendment doesn't seem to allow for that individual to be transported for the purposes of removal because they aren't here unlawfully. That is all to say that this amendment really isn't ready for prime time, and I would urge its rejection.

#### VOTE ON AMENDMENT NO. 6559

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. JOHNSON. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The yeas and nays resulted—yeas 47, nays 50, as follows:

#### [Rollcall Vote No. 411 Leg.]

##### YEAS—47

Blackburn	Hoehn	Romney
Boozman	Hyde-Smith	Rounds
Braun	Inhofe	Rubio
Capito	Johnson	Sasse
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Shelby
Crapo	Lummis	Sullivan
Cruz	Manchin	Tester
Daines	Marshall	Thune
Ernst	McConnell	Tillis
Fischer	Moran	Toomey
Graham	Murkowski	Tuberville
Grassley	Paul	Wicker
Hagerty	Portman	Young
Hawley	Risch	

##### NAYS—50

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Rosen
Blunt	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lujan	Stabenow
Collins	Markey	Van Hollen
Coons	Menendez	Warner
Cortez Masto	Merkley	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Ossoff	Wyden
Gillibrand	Padilla	

##### NOT VOTING—3

Barrasso	Burr	Cramer
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The PRESIDENT pro tempore. On this vote, the yeas are 47, the nays are 50.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to. The amendment (No. 6559) was rejected.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, that was 9 minutes. Let's keep it up.

The PRESIDENT pro tempore. Under the previous order, there will now be 2 minutes of debate prior to the vote in relation to the Sinema-Tester amendment No. 6621.

Who seeks recognition?

The Senator from Arizona.

#### AMENDMENT NO. 6621

Ms. SINEMA. Mr. President, it is pathetic Congress, once again, stands here at the 11th hour to fulfill its most fundamental obligation. Partisanship and tunnel vision on damaging the opposition and preventing the other side from getting a win has replaced thoughtful legislating.

I have made clear the border is in crisis and Arizona is facing a security and humanitarian crisis. Enough is enough. Stop using the border as a political tool. We are here to do our jobs. We must fund the government, and we must solve our border crisis.

This amendment keeps title 42 until a permanent plan is in place, boosts desperately needed border funding for security, invests in our agents and officers, and stops the flow of dangerous drugs.

I call on my colleagues to support this amendment.

I yield to Senator TESTER.

The PRESIDENT pro tempore. The Senator from Montana.

Mr. TESTER. Mr. President, this bill gives additional funding for judges and legal officials to ensure due processing, evaluating claims of folks at the border, provides resources for technology and to construct a physical wall, gives law enforcement at the southern border additional resources, and it overrides President Biden's decision to end title 42.

I would encourage an aye vote on this amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, this amendment is a ruse. It is a ruse designed to provide political cover to a small handful of people who recognize the crisis on the border and want to appear to be doing something about it, but it doesn't.

Look, it proposes tens of billions of dollars to simply manage the border crisis, not stop it. It doesn't do anything to stop fentanyl or actually secure our border.

The sponsors will tell you that their amendment prohibits the funding—prohibits the repeal of title 42, but that is a lie. It only prohibits DHS funding to repeal title 42 when the surgeon general, who is housed in HHS, is the one who has the authority to do so.

How would it manage this crisis? Well, it would do so by funding the processing of people coming into this country faster than they are currently being processed. And more costly lawsuits await against our enforcement policies.

I strongly encourage my colleagues to oppose this amendment, which is a ruse. It doesn't do what it purports to do. It distracts from the crisis unfolding on our southern border.

#### VOTE ON AMENDMENT NO. 6621

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. SCHATZ. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 10, nays 87, as follows:

#### [Rollcall Vote No. 412 Leg.]

##### Yeas—10

Brown	Ossoff	Tester
Hassan	Rosen	Tillis
Kelly	Shaheen	
Manchin	Sinema	

##### Nays—87

Baldwin	Grassley	Paul
Bennet	Hagerty	Peters
Blackburn	Hawley	Portman
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Risch
Booker	Hirono	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Cantwell	Inhofe	Sanders
Capito	Johnson	Sasse
Cardin	Kaine	Schatz
Carper	Kennedy	Schumer
Casey	King	Scott (FL)
Cassidy	Klobuchar	Scott (SC)
Collins	Lankford	Shelby
Coons	Leahy	Smith
Cornyn	Lee	Stabenow
Cortez Masto	Lujan	Sullivan
Cotton	Lummis	Thune
Crapo	Markey	Toomey
Cruz	Marshall	Tuberville
Daines	McConnell	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warnock
Ernst	Moran	Warren
Feinstein	Murkowski	Whitehouse
Fischer	Murphy	Wicker
Gillibrand	Murray	Wyden
Graham	Padilla	Young

##### Not Voting—3

Barrasso	Burr	Cramer
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The PRESIDENT pro tempore. On this vote, the yeas are 10, the nays are 87. The amendment is rejected.

The amendment (No. 6621) was rejected.

#### AMENDMENT NO. 6563

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes of debate prior to the vote in relation to the Lee amendment No. 6563.

The Senator from Utah.

Mr. LEE. Mr. President, during our recent border crisis, title 42 has become



the only sustained control we have over illegal immigration.

In 2022, just this year alone, we have had over 2.7 million undocumented immigrants at our southern border. It doesn't even include those who came across sneaking through undetected.

The Biden administration is only expelling people from the border exclusively under title 42. That is it. That is all we have got. In the last 3 years, title 42 has been used to help us expel 2.5 million illegal immigrants.

Just over the last 7 days alone, Mr. President, the Border Patrol in Arizona showed us that it is not just people coming across illegally; it is also drugs—dangerous drugs. In the last 7 days alone, Border Patrol agents in Arizona have confiscated 1.5 million fentanyl tablets. More than 14,000 pounds in total was intercepted at the border in 2022, and that is enough to kill America's entire population nine times over.

We have no business passing this bill unless this is in here. Vote for this amendment, I implore you.

The PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, the logic of title 42 is a public health response to a crisis. It was determined that foreigners coming into the United States could be turned away under title 42, and more than a million were last year.

Now, what has happened to the public health crisis? In June of this year, our government announced it would no longer require COVID tests for foreigners entering the United States. We have 22 million international visitors each year, and now there is no longer a requirement for testing.

So let's be honest. This is not about public health anymore. It is our excuse for not tackling the very real challenge of coming up with a border policy on a bipartisan basis.

I want to salute Senator SINEMA and Senator TILLIS for their undertaking. I want to work with them in the future, and I think we should reject this amendment.

#### VOTE ON AMENDMENT NO. 6563

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. LEE. I ask for the yeas and nays. The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 47, nays 50, as follows:

[Rollcall Vote No. 413 Leg.]

#### YEAS—47

Blackburn	Boozman	Capito
Blunt	Braun	Cassidy

Collins	Inhofe
Cornyn	Johnson
Cotton	Kennedy
Crapo	Lankford
Cruz	Lee
Daines	Lummis
Ernst	Marshall
Fischer	McConnell
Graham	Moran
Grassley	Murkowski
Hagerty	Paul
Hawley	Portman
Hoeven	Risch
Hyde-Smith	Romney

#### NAYS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NOT VOTING—3

Barrasso	Burr	Cramer
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Mr. LEE. Point of inquiry, Mr. President.

Mr. President, point of parliamentary inquiry.

Are we not under a unanimous consent agreement that presupposes a 10-minute vote that will be called at the end of 10 minutes? And is there an exception to that when the Democrats don't like the disposition of the vote that has been cast?

The PRESIDENT pro tempore. The vote is still continuing. Debate is not in order.

Mr. LEE. That wasn't a debate. That was a point of parliamentary inquiry. There is a difference. I would like an answer.

The PRESIDENT pro tempore. Parliamentary inquiries are not in order.

On this vote, the yeas are 47, the nays are 50. The amendment is not agreed to.

The amendment (No. 6563) was rejected.

#### AMENDMENT NO. 6576

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to the vote on the Lee amendment numbered 6576.

Mr. LEE. Mr. President, before I begin my remarks on this, I would like to know how long the vote was held open on the last vote.

The PRESIDENT pro tempore. It was 16 minutes total—18 minutes.

Mr. LEE. Eighteen minutes is, of course, longer than 10.

The PRESIDENT pro tempore. The Senator may proceed.

#### AMENDMENT NO. 6576

Mr. LEE. Mr. President, U.S. Navy Lieutenant Ridge Alkonis is one of the best and the brightest naval officers this country has. In late May of 2021, he was involved in a serious car accident in which he encountered an unforeseeable, unforeseen medical emergency that caused him to lose con-

sciousness. He was involved in a car accident as a result of that emergency in which two Japanese nationals tragically lost their lives.

It was, indeed, an accident, not preventable or foreseeable by Lieutenant Alkonis. Nonetheless, under the Japanese legal system, he now stands convicted of a crime for which he is serving a 3-year prison sentence. This is an accident that was not avoidable by Lieutenant Ridge Alkonis.

I believe that, under these circumstances, we must stand behind him and his family. Lieutenant Alkonis has a wife Brittany and three young children. They are set to lose their pay and benefits from their sole breadwinner in their home 1 week from today. We must stop that.

The Department of Defense supports this. They wish they could grant it on their own. They don't believe they have the authority. I disagree with them. But this will fix that, and I am happy to help them with that.

I urge my colleagues to support this and would gladly accept a voice vote.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment (No. 6576) is agreed to.

#### AMENDMENT NO. 6577

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to the vote in relation to the Lankford amendment.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, the next point of our business today is going to be the Pregnant Workers Fairness Act that is coming up in a couple of votes from now. This is simply an amendment to be able to clarify one section of that.

The PRESIDENT pro tempore. The Senator will withhold. I again ask order on both sides of the aisle so we can proceed.

The Senator from Oklahoma.

Mr. LANKFORD. This amendment simply clarifies one area. Faith-based groups have reached out and said they understand this and are supportive of this, but they would like to get clarity in one section.

I am going to just read this section to you. As it currently reads in 7(b), it says:

This title is subject to the applicability of religious employment set out in Section 702(a), which is the Civil Rights Act.

What we are asking for is very straightforward. Everyone has received a copy of this. It just changes that language to read it to say:

This division shall not be construed to require a religious entity described in Section 702(a) of the Civil Rights Act of 1964 to make an accommodation that would violate the entity's religion.

It is very straightforward. It deals only with religious entities. It reinforces the Civil Rights Act. I think it was an oversight in the way this was written. There are some faith-based groups saying: We are uncomfortable

with this. It is very narrowly tailored in the way it is written.

I, frankly, would accept this as a voice vote, as well, if we would like to voice this right now.

The PRESIDENT pro tempore. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I commend my colleague's efforts to ensure this bill has strong religious liberties protections. We share that intent. I am told that the title VII religious exemption, which is specifically referred to and which, by the way, was drafted by House Republican VIRGINIA FOXX. It addresses the issue.

Analysis from Senator BURR's HELP counsel shows that Federal courts have interpreted title VII broadly beyond hiring and firing. This is based upon decisions from the liberal Ninth Circuit and the more conservative Fourth. I am told by attorneys that adding language to the bill actually, paradoxically, increases the ability of a liberal court to reinterpret previous jurisprudence.

I don't strongly oppose this, but because of the attorneys telling me that it would increase the likelihood of changing previous jurisprudence, which clearly is in favor of these religious employers having abilities that we all want them to have, I will oppose.

I yield the floor.

Mr. LANKFORD. Do I have time?

The PRESIDENT pro tempore. There is no time remaining.

VOTE ON AMENDMENT NO. 6577

The question is on agreeing to the amendment.

Mr. LANKFORD. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 44, nays 53, as follows:

[Rollcall Vote No. 414 Leg.]

Yeas—44

Blackburn	Hawley	Romney
Blunt	Hoeven	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Daines	Marshall	Tillis
Ernst	McConnell	Toomey
Fischer	Moran	Tuberville
Graham	Paul	Wicker
Grassley	Portman	Young
Hagerty	Risch	

Nays—53

Baldwin	Brown	Casey
Bennet	Cantwell	Cassidy
Blumenthal	Cardin	Collins
Booker	Carper	Coons

Cortez Masto	Lujan	Schatz
Duckworth	Manchin	Schumer
Durbin	Markey	Shaheen
Feinstein	Menendez	Sinema
Gillibrand	Merkley	Smith
Hassan	Murkowski	Stabenow
Heinrich	Murphy	Tester
Hickenlooper	Murray	Van Hollen
Hirono	Ossoff	Warner
Kaine	Padilla	Warnock
Kelly	Peters	Warren
King	Reed	Whitehouse
Klobuchar	Rosen	Wyden
Leahy	Sanders	

Not Voting—3

Barrasso Burr Cramer

The amendment (No. 6577) was rejected.

AMENDMENT NO. 6569

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to the vote in relation to the Braun amendment No. 6561. The Senator from Indiana.

Mr. BRAUN. I call up my amendment at the desk, which has to do with the Cassidy bill that we are going to hear next.

In 1794, Congress passed the 11th amendment, and it was ratified a year later. This constitutional amendment prohibits—

The PRESIDENT pro tempore. We do not have order. The Senators will suspend. The Senator is entitled to be heard. We have order in the Chamber.

Mr. BRAUN. This constitutional amendment prohibits Federal courts from hearing certain lawsuits against States. A State can waive immunity if it wants to, and States do so now and then.

There is a proven process for eliminating or changing the protections of a clear constitutional language. It is not the role of the Senate to repeal constitutional rights through legislation, which is what the Cassidy bill does before us. This bill would nullify the 11th amendment, opening public sector entities in States to more Federal compliance issues and litigations.

Hoosiers did not elect me to roll back constitutional protections for Indiana. This is why I am offering this amendment to strike section 6 of this bill.

I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

The Senator from Pennsylvania has time reserved.

Mr. CASEY. Mr. President, this bill is about protecting pregnant workers. We shouldn't be treating pregnant workers who happen to be State and local government employees differently than we treat private sector employees or differently than we treat Federal workers.

What this bill does is give pregnant State and local workers the same protections. So if a woman is pregnant in the workforce and she needs accommodations that are reasonable, as the bill provides, we should provide them, whether she works in State or local government or whether she works in the Federal Government or private sector.

The Health, Education, Labor, and Pensions Committee, on a bipartisan basis, considered this amendment and rejected it and voted the bill itself—the Pregnant Workers Fairness Act—out of committee 19 to 2. I would urge a “no” vote on this amendment.

VOTE ON AMENDMENT NO. 6569

The PRESIDENT pro tempore. The question is on agreeing to amendment No. 6569.

The yeas and nays are ordered.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 40, nays 57, as follows:

[Rollcall Vote No. 415 Leg.]

Yeas—40

Blackburn	Inhofe	Rounds
Boozman	Johnson	Rubio
Braun	Kennedy	Sasse
Cotton	Lankford	Scott (FL)
Crapo	Lee	Scott (SC)
Cruz	Lummis	Shelby
Daines	Manchin	Sullivan
Ernst	Marshall	Thune
Fischer	McConnell	Toomey
Grassley	Moran	Tuberville
Hagerty	Paul	Wicker
Hawley	Portman	Young
Hoeven	Risch	
Hyde-Smith	Romney	

Nays—57

Baldwin	Gillibrand	Padilla
Bennet	Graham	Peters
Blumenthal	Hassan	Reed
Blunt	Heinrich	Rosen
Booker	Hickenlooper	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Cassidy	Lujan	Tester
Collins	Markey	Tillis
Coons	Menendez	Van Hollen
Cornyn	Merkley	Warner
Cortez Masto	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Ossoff	Wyden

Not Voting—3

Barrasso Burr Cramer

The PRESIDENT pro tempore. On this vote, the yeas are 40, the nays are 57.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 6569) was rejected.

AMENDMENT NO. 6558

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to the vote in relation to the Cassidy amendment No. 6558.

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I want to start by saying something very simple about what we are about to vote on. This bill is about two words: reasonable accommodations. It is as simple as that. More than 30 years ago, we passed the Americans with Disabilities Act,

which said something very simple as well. It said that a worker with a disability in the workplace should have reasonable accommodations, not any accommodation—reasonable accommodations.

Thirty years of case law, thirty years of testing that principle have shown us that pregnant workers should have the same protections, reasonable accommodations, so that if a woman is pregnant in the workforce, she can do her job and have a healthy and safe pregnancy. That is all this bill is about.

The organizations supporting it are across the board. Every organization you can think of is supporting this bill. I urge a “yes” vote, similar to the House vote on this, which was 315 to 101, more than three quarters of the House.

I turn now to my colleague Senator CASSIDY.

Mr. CASSIDY. Mr. President, the amendment's benefits are clear. We include VIRGINIA FOXX's House amendment protecting religious employers, endorsed by the National Association of Evangelicals, the U.S. Conference of Catholic Bishops, the March of Dimes, and the U.S. Chamber.

It passed the Health Committee 19 to 2. It allows employers to help a pregnant woman support herself, her family, and her unborn child. This is pro-life. This bill does what we would want for ourselves, our wives, our sisters, and our daughters.

I yield the floor.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, this is a great example—this very important bill—of how this body can work in a bipartisan way and get things done. I want to salute Senators Casey and Cassidy for their diligence and relentlessness. I want to thank Senators Murray and Burr.

The Pregnant Workers Fairness Act makes a simple assertion: If you are pregnant, if you are working during your pregnancy, you should have the right to basic workplace accommodations.

The Pregnant Workers Fairness Act is one of the most significant improvements to workplace protections in years. Tens of millions will be covered under this legislation, especially millions who work low-income jobs, long hours, and get little support.

I urge a “yes” vote.

VOTE ON AMENDMENT NO. 6558

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 73, nays 24, as follows:

[Rollcall Vote 416 Leg.]

YEAS—73

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blackburn	Hirono	Rosen
Blumenthal	Kaine	Sanders
Blunt	Kelly	Schatz
Booker	Kennedy	Schumer
Brown	King	Scott (FL)
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Shelby
Cardin	Lujan	Sinema
Carper	Lummis	Smith
Casey	Manchin	Stabenow
Cassidy	Markey	Sullivan
Collins	Marshall	Tester
Coons	McConnell	Tillis
Cortez Masto	Menendez	Tuberville
Cruz	Merkley	Van Hollen
Duckworth	Moran	Warner
Durbin	Murkowski	Warnock
Ernst	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Graham	Padilla	Young
Grassley	Peters	
Hassan	Portman	

NAYS—24

Boozman	Hawley	Risch
Braun	Hoeven	Rounds
Cornyn	Hyde-Smith	Rubio
Cotton	Inhofe	Sasse
Crapo	Johnson	Scott (SC)
Daines	Lankford	Thune
Fischer	Lee	Toomey
Hagerty	Paul	Wicker

NOT VOTING—3

Barrasso	Burr	Cramer
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The PRESIDENT pro tempore. On this vote, the yeas are 73, the nays are 24.

Under the previous order requiring 60 votes for adoption of this amendment, the amendment is agreed to.

The amendment (No. 6558) was agreed to.

AMENDMENT NO. 6588

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to the vote in relation to the Padilla-Cornyn amendment No. 6588.

Mr. PADILLA. Mr. President, colleagues, this bipartisan agreement, which I have had the pleasure of working together with Senator CORNYN on for more than a year now and which has already passed the Senate by unanimous consent twice before, would give State, local, Tribal, and territorial governments the flexibility and the support they need to fully recover from the COVID-19 pandemic.

As we all know, each community has been impacted differently by the pandemic and has different needs to recover from the pandemic. This amendment is about flexibility and prioritizing the local governments that are closest to the people.

I do want to thank Senators Cornyn, Tester, and Murkowski for their work on this effort.

The PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, this is a very popular piece of legislation. As the Senator from California pointed out, the Senate has unanimously passed this on two previous occasions, so hopefully this third time is the charm.

What it does is unlocks COVID-19 relief money that States and local jurisdictions have that they no longer need for that purpose, but it allows them now more flexibility to spend it on infrastructure and disaster relief and the like. The best part about it is, it doesn't add one penny to the debt.

We would ask for a voice vote.

The PRESIDENT pro tempore. All those in favor?

The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the 60-vote threshold be vitiated with respect to this amendment so that we can have a voice vote.

The PRESIDENT pro tempore. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 6588

The question is on agreeing to the amendment.

The amendment (No. 6588) was agreed to.

AMENDMENT NO. 6607, AS MODIFIED, AND

AMENDMENT NO. 6596, AS MODIFIED

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent to modify amendment Nos. 6607 and 6596—to modify the instruction lines.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 6607, AS MODIFIED

(Purpose: To establish a World Trade Center Health Program Supplemental Fund)

At the appropriate place, add the following:

#### **TITLE VII—SUPPLEMENTAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM**

##### **SEC. 7701. SUPPLEMENTAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM.**

(a) IN GENERAL.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended by adding at the end the following:

##### **“SEC. 3352. SUPPLEMENTAL FUND.**

“(a) IN GENERAL.—There is established a fund to be known as the World Trade Center Health Program Supplemental Fund (referred to in this section as the ‘Supplemental Fund’), consisting of amounts deposited into the Fund under subsection (b).

“(b) AMOUNT.—Out of any money in the Treasury not otherwise appropriated, there is appropriated for fiscal year 2023 \$1,000,000,000, for deposit into the Supplemental Fund, which amounts shall remain available through fiscal year 2032.

“(c) USES OF FUNDS.—Amounts deposited into the Supplemental Fund under subsection (b) shall be available, without further appropriation and without regard to any spending limitation under section 3351(c), to the WTC Program Administrator as needed at the discretion of such Administrator, for carrying out any provision in this title, including sections 3303 and 3341(c).

“(d) RETURN OF FUNDS.—Any amounts that remain in the Supplemental Fund on September 30, 2032, shall be deposited into the Treasury as miscellaneous receipts.”.

(b) CONFORMING AMENDMENTS.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended—

(1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C. 300mm–21(a)(4)(B)(i)(II)), by striking “section 3351” and inserting “sections 3351 and 3352”;

(2) in section 3321(a)(3)(B)(i)(II) (42 U.S.C. 300mm-31(a)(3)(B)(i)(II)), by striking “section 3351” and inserting “sections 3351 and 3352”;

(3) in section 3331 (42 U.S.C. 300mm-41)—

(A) in subsection (a), by inserting “and the World Trade Center Health Program Supplemental Fund” before the period at the end; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(ii) in paragraph (2), in the flush text following subparagraph (C), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(4) in section 3351(b) (42 U.S.C. 300mm-61(b))—

(A) in paragraph (2), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end; and

(B) in paragraph (3), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end.

(c) PREVENTION AND PUBLIC HEALTH FUND.—Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11(b)) is amended—

(1) in paragraph (8), by striking “\$1,800,000,000; and” and inserting “\$1,525,000,000;”;

(2) by striking paragraph (9) and inserting the following:

“(9) for each of fiscal years 2028 and 2029, \$1,725,000,000; and”;

(3) by adding at the end the following:

“(10) for fiscal year 2030 and each fiscal year thereafter, \$2,000,000,000.”.

#### SEC. 7702. RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.

(a) IN GENERAL.—Section 3341 of the Public Health Service Act (42 U.S.C. 300mm-51) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “With respect” through “subtitle B, the” and inserting “The”; and

(B) by striking “of such individuals” each place it appears;

(2) in subsection (b)(1), by inserting “and individuals who were exposed within a geographic area related to the September 11, 2001, terrorist attacks in a manner similar to the exposure within such geographic area experienced by individuals meeting the eligibility criteria under section 3311(a)(2) or 3321(a)(1)(B)” after “treatment”;

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(4) by inserting after subsection (b) the following:

“(c) RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.—

“(1) IN GENERAL.—The WTC Program Administrator, in consultation with the Secretary of Education, shall establish a research cohort of sufficient size to conduct future research studies on the health and educational impacts of exposure to airborne toxins, or any other hazard or adverse condition, resulting from the September 11, 2001, terrorist attacks, including on the population of individuals who were 21 years of age or younger at the time of exposure, including such individuals who are screening-eligible WTC survivors or certified-eligible WTC survivors.

“(2) POPULATIONS STUDIED.—The research cohort under paragraph (1) may include—

“(A) individuals who, on September 11, 2001, were 21 years of age or younger and were—

“(i) outside the New York City disaster area; and

“(ii) in—

“(I) the area of Manhattan not further north than 14th Street; or

“(II) Brooklyn; and

“(B) control populations, including populations of individuals who, on September 11, 2001, were 21 years of age or younger.”.

(b) FUNDING.—Section 3351(b) of such Act (42 U.S.C. 300mm-61(b)) is amended by inserting after paragraph (3) the following:

“(4) LIMITATION FOR RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.—Notwithstanding paragraph (1), the amounts made available under such paragraph may not be used for fiscal years 2023 through 2032 to carry out subsection (c) of section 3341.”.

(c) CONFORMING AMENDMENT.—Section 3301(f)(2)(E) of such Act (42 U.S.C. 300mm(f)(2)(E)) is amended by striking “section 3341(a)” and inserting “subsection (a) or (c) of section 3341”.

#### AMENDMENT NO. 6596, AS MODIFIED

(Purpose: To authorize the transfer of the proceeds of certain forfeited property to help Ukraine recover from the harms caused by the ongoing Russian aggression)

At the appropriate place, add the following:

SEC. 1708. (a) The Attorney General may transfer to the Secretary of State the proceeds of any covered forfeited property for use by the Secretary of State to provide assistance to Ukraine to remediate the harms of Russian aggression towards Ukraine. Any such transfer shall be considered foreign assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), including for purposes of making available the administrative authorities and implementing the reporting requirements contained in that Act.

(b) Not later than 15 days after any transfers made pursuant to subsection (a), the Attorney General, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit a report describing such transfers to the appropriate congressional committees.

(c) In this section:

(1) The term “appropriate congressional committees” means—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on the Judiciary of the House of Representatives;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Financial Services of the House of Representatives; and

(H) the Committee on Appropriations of the House of Representatives.

(2) The term “covered forfeited property” means property forfeited under chapter 46 or section 1963 of title 18, United States Code, which property belonged to, was possessed by, or was controlled by a person subject to sanctions and designated by the Secretary of the Treasury or the Secretary of State, or which property was involved in an act in violation of sanctions enacted pursuant to Executive Order 14024, and as expanded by Executive Order 14066 of March 8, 2022, and relied on for additional steps taken in Executive Order 14039 of August 20, 2021, and Executive Order 14068 of March 11, 2022.

(d) The authority under this section shall apply to any covered forfeited property forfeited on or before May 1, 2025.

#### AMENDMENT NO. 6596, AS MODIFIED

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to the vote on the Graham amendment No. 6596, as modified.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I want to thank Senator WHITEHOUSE for this long journey we have been on together.

For Congressman MALINOWSKI from the House, this has been a passion.

This amendment would allow the Department of Justice, through the Secretary of State, to transfer proceeds from seized oligarch assets or other sanctioned entities to the people of Ukraine. It will be a godsend to the long-suffering people of Ukraine. It will be a relief to the American taxpayer because billions of dollars are subject to being seized and transferred. It will be a bad day for oligarchs.

I ask for a voice vote.

The PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I endorse the remarks of my friend Senator GRAHAM, and I want to thank him for his persistent work on this issue.

I would also like to recognize Senator BLUMENTHAL and Senator BENNET, who had significant roles helping on our side, and Representative MALINOWSKI, who has come over from the House, who championed it on that side as well.

I join Senator GRAHAM in asking not only for an “aye” vote but a voice vote.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the 60-vote threshold be vitiated with respect to this amendment.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on agreeing to the amendment, as modified.

The amendment (No. 6596), as modified, was agreed to.

#### AMENDMENT NO. 6595

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to a vote in relation to Merkley amendment No. 6595.

Mr. MERKLEY. Mr. President, I am pleased that we are having this amendment before us. It broadens the scope of the bill that we passed 12 years ago to enable nursing mothers to be able to return to work and breast-pump milk for the benefit of their children.

For 12 years, it has worked so well for better health for the babies and better health for the mothers, and it turned out to be a big win for businesses because they found that workers returned to work and were much happier doing so.

The chamber has sent out a letter endorsing it. They note that it protects small businesses, providing a hardship exemption opportunity for those with less than 50 and that they have accommodated the concerns of the airline and railroad industries.

It is a win-win for babies, for mothers, and for business.

I hand this over to my colleague, and thank you so much, Senator MURKOWSKI, for championing this effort.

The PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, this measure is good for babies, it is good for new mothers, and it is good for employers to get these women back into the workforce. I would encourage an “aye” vote.

#### VOTE ON AMENDMENT NO. 6595

Mr. PAUL. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second for the request for the yeas and nays?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 92, nays 5, as follows:

#### [Rollcall Vote No. 417 Leg.]

##### YEAS—92

Baldwin	Hassan	Reed
Bennet	Hawley	Risch
Blackburn	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Blunt	Hirono	Rounds
Booker	Hoeben	Rubio
Boozman	Hyde-Smith	Sanders
Braun	Inhofe	Sasse
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	Kennedy	Scott (FL)
Cardin	King	Scott (SC)
Carper	Klobuchar	Shaheen
Casey	Lankford	Sinema
Cassidy	Leahy	Smith
Collins	Lujan	Stabenow
Coons	Lummis	Sullivan
Cortez Masto	Manchin	Tester
Cotton	Markey	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Moran	Warnock
Ernst	Murkowski	Warren
Feinstein	Murphy	Whitehouse
Fischer	Murray	Wicker
Gillibrand	Ossoff	Wyden
Graham	Padilla	Young
Grassley	Peters	
Hagerty	Portman	

##### NAYS—5

Cornyn	Lee	Toomey
Johnson	Paul	

##### NOT VOTING—3

Barrasso	Burr	Cramer
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The PRESIDENT pro tempore. On this vote, the yeas are 92, the nays are 5.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 6595) was agreed to.

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to a vote in relation to the Klobuchar amendment No. 6597.

#### AMENDMENT NO. 6597

Ms. KLOBUCHAR. Mr. President, Senator LEE and I rise in support of this amendment to the antitrust provisions of this legislation for one purpose: to ensure that they match the language of the original bills that earned strong bipartisan support in this Senate as well as in the House of Representatives. We are simply restoring the language that passed in the Senate and passed in the House before this bill went through the mix master that is called the omnibus.

I want to thank Senator GRASSLEY for his work on the Merger Filing Fee Modernization Act, which updates and reforms the merger fees—something we have not done for 22 years.

Senator COTTON's Foreign Merger Subsidy Disclosure Act is included and the State Antitrust Enforcement Venue Act—strongly supported by all members of the Judiciary Committee, which Senator LEE and I have led.

This bill passed the Senate by unanimous consent, and this language was scored to language originally in the bill.

Senator LEE will speak briefly, and then in the spirit of the holiday, with Santa Claus on our side, we will ask for a voice vote.

The PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, this bipartisan bill is something that I stand behind. Yes, this amendment simply restores the previous version that Senator KLOBUCHAR and I introduced and passed by unanimous consent. I urge our colleagues to support it.

The PRESIDENT pro tempore. The majority leader.

Mr. PAUL. Mr. President, I rise in objection. Do I get my minute?

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. PAUL. Mr. President, there are probably no more incompetent people in government than those who are in our Antitrust Division. These are the people who, as Blockbuster video was in its throes of demise, decided to block the merger between Hollywood Video and Blockbuster. I don't want to give these people any more money, and I will object to any unanimous consent to make this a voice vote.

Mr. SCHUMER. One final appeal for a voice vote? It is going to win. OK.

#### VOTE ON AMENDMENT NO. 6597

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 88, nays 8, as follows:

#### [Rollcall Vote 418 Leg.]

##### YEAS—88

Baldwin	Hawley	Reed
Bennet	Heinrich	Risch
Blumenthal	Hickenlooper	Romney
Blunt	Hirono	Rosen
Booker	Hoeben	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sanders
Brown	Kaine	Sasse
Cantwell	Kelly	Schatz
Capito	Kennedy	Schumer
Cardin	King	Scott (SC)
Carper	Klobuchar	Shaheen
Casey	Lankford	Sinema
Cassidy	Leahy	Smith
Collins	Lee	Stabenow
Coons	Lujan	Tester
Cornyn	Lummis	Thune
Cortez Masto	Manchin	Tillis
Cotton	Markey	Toomey
Crapo	Marshall	Tuberville
Daines	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Moran	Warnock
Ernst	Murkowski	Warren
Feinstein	Murphy	Whitehouse
Fischer	Murray	Wicker
Gillibrand	Ossoff	Wyden
Graham	Padilla	Young
Grassley	Peters	
Hassan	Portman	

##### NAYS—8

Cruz	McConnell	Shelby
Hagerty	Paul	Sullivan
Johnson	Scott (FL)	

##### NOT VOTING—4

Barrasso	Burr
Blackburn	Cramer

The PRESIDENT pro tempore. On this vote, the yeas are 88, the nays are 8.

Under the previous order requiring 60 votes for adoption of this amendment, the amendment is agreed to.

Amendment No. (6597) was agreed to.

#### AMENDMENT NO. 6607, AS MODIFIED

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to a vote in relation to the Gillibrand amendment No. 6607, as modified.

The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to speak in support of my amendment, the 9/11 Responder and Survivor Health Funding Correction Act. This amendment is a bipartisan compromise that we have worked out to make sure there is not a shortfall in funding for this health program.

This health program was stood up about 10 years ago, and we created a formula that was based on inflation. Unfortunately, the rate of inflation for healthcare has been higher. This is something that was unanimously agreed on from its inception, and I really hope you can support this.

As you know, our 9/11 first responders have been suffering from lung cancer and different kinds of pulmonary diseases and respiratory diseases, and this healthcare is lifesaving. If they have to worry that the money is not there for their cancer treatments, it just creates more anxiety and PTSD for these individuals.

It is really important that we fully fund this program. This funding will

allow for the next 5 years to be covered. It is not everything we need, but it is enough to get us started.

The PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President, first, I want to thank my friend and colleague Senator GILLIBRAND for the great work she has done championing the 9/11 responder and survivor health fund.

We know how many people sacrificed. We know how they ran to the towers when they were still smoldering, and then they contracted terrible diseases. For a while, this country left them high and dry. It would be like leaving our veterans high and dry. But, no, we stepped up to the plate with a very good and successful health funding program. Unfortunately, it runs out very soon. This amendment will extend it so it now can last another full 5 years. And the worry that firefighters, construction workers, police officers, and others who ran to the towers and are now beginning to contract diseases they never should have gotten—they will be taken care of.

I hope we can get everybody to vote for this patriotic, important bill that remembers those who helped us in a great time of need.

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. PAUL. Mr. President, just last year, we passed an unlimited appropriation for the 9/11 responders. I do believe they do deserve our help, but we amassed an unlimited appropriation for 70 years. As much money as can possibly be spent in 70 years was made available last year.

We are in the midst of a \$1.7 trillion bill, and yet we have got to add another billion. Is there no end to the amount of money you think we can print without repercussions?

I urge a “no” vote.

Mrs. GILLIBRAND. Mr. President, to clarify the record, it was not an unlimited amount of money appropriated; it was an authorization. This is the money—

Mr. PAUL. Time. Time.

Mrs. GILLIBRAND.—to pay for the shortfall, and—

The PRESIDENT pro tempore. The time—

Mrs. GILLIBRAND.—it is fully paid for.

The PRESIDENT pro tempore. The time has elapsed.

VOTE ON AMENDMENT NO. 6607, AS MODIFIED

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), and the Senator from Kansas (Mr. MARSHALL).

The yeas and nays resulted—yeas 90, nays 6, as follows:

[Rollcall Vote No. 419 Leg.]

YEAS—90

Baldwin	Hassan	Reed
Bennet	Hawley	Risch
Blumenthal	Heinrich	Romney
Blunt	Hickenlooper	Rosen
Booker	Hirono	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sanders
Brown	Inhofe	Sasse
Cantwell	Kaine	Schatz
Capito	Kelly	Schumer
Cardin	Kennedy	Scott (FL)
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Cassidy	Lankford	Sinema
Collins	Leahy	Smith
Coons	Lujan	Stabenow
Cornyn	Lummis	Sullivan
Cortez Masto	Manchin	Tester
Cotton	Markley	Thune
Crapo	McConnell	Tillis
Cruz	Menendez	Toomey
Duckworth	Merkley	Tuberville
Durbin	Moran	Van Hollen
Ernst	Murkowski	Warner
Feinstein	Murphy	Warnock
Fischer	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wicker
Grassley	Peters	Wyden
Hagerty	Portman	Young

NAYS—6

Blackburn	Johnson	Paul
Daines	Lee	Scott (SC)

NOT VOTING—4

Barrasso	Cramer
Burr	Marshall

The PRESIDENT pro tempore. On this vote, the yeas are 90, the nays are 6.

Under the previous order requiring 60 votes for adoption of this amendment, the amendment is agreed to.

The amendment (No. 6607), as modified, was agreed to.

AMENDMENT NO. 6617

The PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate prior to the vote in relation to the Menendez-Cotton amendment No. 6617.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, this amendment is about justice and restitution. Twenty-one years ago, on a cloudless morning in 2001, nearly 3,000 Americans, including 750 from my home State of New Jersey, were senselessly murdered in the terrorist attacks on September 11.

Mr. President, 9/11 families are the reason why “Never Forget” continues to be a clarion call in this Congress. They are the reason we seek a vote on the Fairness for 9/11 Families Act.

I do this alongside Senators Cotton and Sullivan, who worked with me to bring justice and relief to also the 1983 Beirut Marine barracks bombing victims and so many other Americans who have suffered at the hands of state sponsors of terrorism.

Our amendment is straightforward. It expands coverage of the U.S. Victims of State Sponsored Terrorism Fund to deliver justice and relief to previously excluded 9/11 families who, because of this exclusion, lost out on the ability to get some of the compensation, as well as the families of the victims of

the Beirut Marine barracks bombing and the Khobar Towers attack.

Many of these families have waited for years—and, in some cases, decades—for relief, and that is what we seek today. I believe that we can take a voice vote.

I turn to Senator WHITEHOUSE, yield to him for a moment. I know he wants to speak to it.

Mr. WHITEHOUSE. Mr. President, I just want to say, on behalf of Senator REED and myself, that we urge a “yes” vote from Rhode Island in memory of the nine Rhode Islanders who perished in the Beirut bombing blast on that deadly day—a “yea” vote and a voice vote.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, I want to thank Senator MENENDEZ and Senator COTTON—another good example of bipartisan progress. Families have been left out, in several different instances, who are victims of terrorism, who have had relatives who were victims of terrorism. We are saying: We stand by you.

Let’s vote. Let’s vote by voice.

The PRESIDENT pro tempore. The Senator from Arkansas.

Mr. COTTON. Mr. President, our amendment achieves a simple goal desired by all of us: equal treatment for all the 9/11 families, the Beirut Marine barracks bombing families, and all victims of terrorism.

To those families, we know that nothing we do here can assuage your grief or replace your loss, but we pray that this action by your Congress, on behalf of your fellow citizens, will serve as a reminder that we hold you close in our hearts and we pray for your comfort.

As a show of our support and love for these families, I suggest the Senate accept the amendment by voice vote.

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. PAUL. Mr. President, we all have a great deal of sympathy for the firemen, the policemen, and those first responders who responded to 9/11; but like most things government does or gets involved with, they have completely disturbed and destroyed who we are actually helping here.

The definition of “victims fund” also includes anybody in Manhattan at the time. So, really, Donald Trump is part of this fund as well. Anybody who was in Manhattan is part of this fund. So you dilute what you are actually trying to do—helping first responders—by making your fund so large, so ill-defined, that everybody in Manhattan can apply for your fund. That is why you are short of money. That is why we spend \$1.7 trillion in this bill, and yet we come back—the last vote was for a billion, and this is for another 4 or 5 billion.

There is no end to this, but it is because government does a poor job of trying to define who they are actually helping.



The PRESIDENT pro tempore. The question is on the amendment.

All those in favor—

Mr. PAUL. I object. It has to be unanimous consent. There is a unanimous consent order and agreement.

I ask for the yeas and nays, but I don't think you have to.

The PRESIDENT pro tempore. Has anybody asked for the yeas and nays?

Is there a sufficient second?

Mr. SCHUMER. Mr. President, I ask unanimous consent that the 60-vote threshold be vitiated with respect to this amendment.

The PRESIDENT pro tempore. Is there objection?

Mr. PAUL. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. SCHUMER. I ask for the yeas and nays.

#### VOTE ON AMENDMENT NO. 6617

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 93, nays 4, as follows:

[Rollcall Vote No. 420 Leg.]

#### YEAS—93

Baldwin	Hagerty	Portman
Bennet	Hassan	Reed
Blackburn	Hawley	Risch
Blumenthal	Heinrich	Romney
Blunt	Hirono	Rosen
Booker	Hoeven	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sanders
Brown	Johnson	Sasse
Cantwell	Kaine	Schatz
Capito	Kelly	Schumer
Cardin	Kennedy	Scott (FL)
Carper	King	Scott (SC)
Casey	Klobuchar	Shaheen
Cassidy	Lankford	Shelby
Collins	Leahy	Sinema
Coons	Lujan	Smith
Cornyn	Lummis	Stabenow
Cortez Masto	Manchin	Sullivan
Cotton	Markey	Tester
Crapo	Marshall	Thune
Cruz	McConnell	Tillis
Daines	Menendez	Toomey
Duckworth	Merkley	Van Hollen
Durbin	Moran	Warner
Ernst	Murkowski	Warnock
Feinstein	Murphy	Warren
Fischer	Murray	Whitehouse
Gillibrand	Ossoff	Wicker
Graham	Padilla	Wyden
Grassley	Peters	Young

#### NAYS—4

Hickenlooper	Paul
Lee	Tuberville

#### NOT VOTING—3

Barrasso	Burr	Cramer
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The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 93, the nays are 4.

Under the previous order requiring 60 votes for the adoption of the amendment, the amendment is agreed to.

The amendment (No. 6617) was agreed to.

Mr. SCHUMER. Mr. President, we are about to have a vote on final passage. Senator LEAHY will speak for no more than 2 minutes; Senator SHELBY, for no more than 2; I will speak for less than a minute.

Members should be advised, there may, may not, be a vote on three military appointees after final passage.

It will need unanimous consent to get it done. Right?

Some people are trying to do it. We will see what happens. It is not me doing it.

Let's go to the statements now. Senator LEAHY.

#### AMENDMENTS WITHDRAWN

The PRESIDING OFFICER (Mr. MURPHY). Under the previous order, the motion to refer and the amendments pending thereto and amendment No. 6511 are withdrawn.

#### MOTION TO CONCUR WITH AMENDMENT NO. 6552

There is now 2 minutes of debate equally divided prior to the vote on the motion to concur with amendment No. 6552, as amended.

The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I brought a lot of bills to the floor here. This will be the last one I bring to the floor of the Senate. But it is one that we have to act on quickly or we risk a government shutdown.

This omnibus appropriations bill provides \$1.7 trillion for fiscal year 2023, \$42 billion in aid to Ukraine, and \$27 billion for victims of natural disaster.

It is a strong, bicameral, and bipartisan bill; and it adheres to the framework announced by Vice Chairman SHELBY, Chair DELAURO, and myself last week.

From funding for nutrition programs and housing assistance, to reducing home energy costs and increasing college affordability, this bill is a direct investment into the American people and our national security, which we cannot delay further. The pain of inflation is real, and it is being felt by families across the country and in every corner of the Federal Government.

Not only does this bill provide real relief from inflation, it is this bill where we fund the promises of the landmark, bipartisan legislation that we passed in the 117th Congress.

The bill provides \$1.8 billion in new funding to implement the bipartisan CHIPS and Science Act of 2022. This will help drive our innovative and competitive edge on the global stage. We included \$9.9 billion—an historic level of funding—for the National Science Foundation, which will support 2,300 more research and education grants and 35,000 more scientists, technicians, teachers, and students.

In the bipartisan PACT Act, we made a commitment to countless veterans across the country to ensure that they receive healthcare and benefits related to exposure to burn pits, Agent Orange, and other toxic substances. This appropriations bill makes good on that promise by providing \$5 billion to im-

plement the PACT Act. It provides \$118.7 billion—a 22-percent increase—for VA Medical Care. These benefits are deserved. They were earned, and they are owed.

In the bipartisan Infrastructure Investment and Jobs Act, we finally made a significant investment in addressing our Nation's crumbling bridges, roads, and infrastructure. This appropriations bill puts tens of billions of real dollars behind those investments to bring our infrastructure into the 21st century.

Last week, we passed the National Defense Authorization Act—NDAA—with overwhelming bipartisan support, but that legislation did not contain a single penny in funding. The bill we consider today does, and it fully funds the NDAA.

But the investments in this bill will go far beyond the bipartisan priorities of this year. It makes real investments that will directly improve the lives of the American people. It includes a \$500 increase to the maximum Pell grant award, which helps more than 7 million students across the country pursue a postsecondary education and further their careers every year. It invests billions of dollars in our Nation's public schools by providing a 5-percent increase for title I-A grants.

It helps to address the crisis of childcare access and affordability by providing \$8 billion for Child Care and Development Block Grants and nearly \$12 billion for Head Start. These programs directly help parents access quality childcare and promote children's healthy development, learning, and well-being.

It continues our efforts to confront the opioid crisis. I am sure every Member of this Chamber knows someone who struggles with substance misuse or someone who advocates on their behalf. I know Marcelle and I do. Communities across the country host grieving families and people struggling with addiction from all walks of life who need new resources now, and this bill provides them. This includes a more than \$345 million increase to address this crisis.

Across this country there are more than 34 million people who are food insecure, including 9 million children. This should not happen in the wealthiest country in the world, and with the cost of groceries up more than 10 percent, this crisis could only get worse. Our bill provides a \$13.4 billion increase for the Supplemental Nutrition Program and funds Child Nutrition Programs, WIC, and other programs to improve nutrition.

This is just scratching the surface of what this appropriations bill will mean for the American people, our national security, and how we project our influence abroad. Our bill invests billions of dollars to help to make housing more affordable and help those in this country who are experiencing homelessness. We provide \$5 billion for LIHEAP, and we provide funding to support local law



enforcement and place more than 1,800 additional police officers on the streets of our communities.

The bill includes over \$42 billion in aid to Ukraine and over \$27 billion for the victims of natural disasters.

The real good this bill does is too long to list now. But if you voted for the bipartisan PACT Act, CHIPS Act, Infrastructure Law, or the NDAA, you should vote for this bill to actually fund them; if you want to help families deal with the cost of heating, childcare, college, food, and housing, you should vote for this bill; if you want to support law enforcement, you should vote for this bill.

The choice is clear: We can either do our jobs and fund the Federal Government—which is undoubtedly in the interest of the American people—or we can abandon our responsibilities without a real path forward. The alternative, a continuing resolution into the New Year, is short-sighted and wholly unnecessary. It imperils our national security, and it ignores the real pain and consequences of inflation. Without a clear path forward based on a bipartisan framework, punting on our responsibility to fund the Federal Government risks a full-year continuing resolution. Under a continuing resolution, America gets left behind.

I strongly urge the support of this omnibus appropriations bill. I want to thank my dear friend Vice Chairman SHELBY for his partnership in this process, and I want to thank Chair DELAUNO for her diligent work. Without their work and cooperation, we would not be where we are today.

I also want to thank our staffs who spent countless, sleepless nights working through the details of this bill. Specifically, I want to thank Charles Kieffer, Chanda Betourney, Jay Tilton, and Maria Calderon on my staff. There are so many, many more who worked tireless days and nights—far too many names to say now—so I would like to submit a list of these staff into the RECORD:

Charles Kieffer; Chanda Betourney; Jay Tilton; Maria Calderon; Tim Rieser; Clint Trocchio; Jenny Winkler; Ben Hammond; Joshua Kravitz; Hong Nguyen; George Castro; Dianne Nellor; Rachel Erlebachner; Hannah Chauvin; Jess Berry; Blaise Sheridan; Michael Bednarczyk; Angela Caalim; Lindsay Erickson; Kate Kaufer; Mike Clementi; Abigail Grace; Katy Hagan; Brigid Kolish; Rob Leonard; John Lucio; Andy Vanlandingham; Laura Mancini; Drew Platt; Doug Clapp; Aaron Goldner; Jen Becker Pollett; Laura Powell; Ellen Murray; Diana Hamilton; Maddie Dunn; Kamela White; Jenn Platt; Jim Daumit; Frank Reed; Melissa Zimmerman; Ryan Hunt; Martha Roberts; Anthony Sedillo; Alex Keenan; Kelly Brown; Mike Gentile; Mark Laisch; Meghan Mott; Kathryn Toomajian; Fiona O'Brien; Richard Braddock; Michelle Dominguez; Joanne Hoff; Jason McMahon; Alex Carnes; Kali Farahmand; Sarita Vanka; Madeleine Granda; Dabney Hegg; Kelsey Daniels; Rajat Mathur; Jessica Sun; Valerie Hutton; Elmer Barnes; Penny Myles; Karin Thames; Lynn Cookley; Alley Adcock; David Adkins; Lucas Agnew; Jennifer Bastin; Katherine Bowles; Patrick Carroll; Michael Ciamarra; Chris

Cook; Allen Cutler; Brian Daner; Elizabeth Dent; Bill Duhnke; Anna Fischer Lanier; John Forbes; Laura Friedel; Paul Grove; Ann Tait Hall; Hanz Heinrichs; Nora Khalil; Emy Lesofski; Rachel Littleton; Patrick Magnunson; Nona McCoy; Daniel Mencher; Thompson Moore; Anna Newton; Lauren Nunnally; Cameron O'Brien; Ashley Palmer; Todd Phillips; Emily Slack; Lashawnda Smith; Blair Taylor; William Tutt; Morgan Ulmer; Kevin Wheeler; Kathleen Williams; Jason Woolwine; Jason Yaworske; and Adam Yezerski.

This is a bill that invests in us—the American people.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I rise today for the last time here to address my colleagues on the floor. After nearly 100 years of combined service between myself and the chairman, I think that we understand the Senate a little bit. This bill, we know what it is—we know it is an omnibus. We know it is not perfect. But it has a lot of stuff in it, a lot of good stuff. And I urge all my friends and colleagues to vote for this, for it is the right thing for the government, the right thing for the Nation, I believe.

Also, I want to thank the entire Appropriations and leadership staff on both sides of the aisle here for their years of service while I have served on the committee. And, also, once again, without them, we wouldn't be where we are today.

Mr. President, I rise today for the last time to address my colleagues on the floor of the United States Senate.

After nearly 100 years of combined public service, my longtime colleague, good friend, and chairman of the Appropriations Committee, Senator PATRICK LEAHY, and I are seeking your support on one last piece of legislation.

This particular bill or omnibus, as we call it, includes all 12 appropriations bills as well as emergency supplemental funding for disaster relief and Ukraine.

I think the chairman would agree that the road we traveled to get to this point has been long, and it has been winding at times. We have hit some rough patches, taken some detours, and at times we broke down on the side of the road.

Notwithstanding the difficulties and disagreements, however, we always shared the same goal—getting to yes.

Was this a perfect process that led to a perfect result? Of course not. It never is, and it never does.

The path we followed to produce this particular legislation is not the path that either one of us would have freely chosen. Over the years, our strong preference has been to engage in regular order, but, for a number of reasons, many of them out of our control, that was not to be this time around.

This bill in just about every respect represents a compromise. The legislative process and the appropriations process in particular rarely produce anything different. In other words, if

you are seeking purity, you will not find it here, and you never will.

What you will find in this bill, however, is a serious commitment to our national defense, aid for Americans in need as a result of natural disasters, and continuing support for the people of Ukraine as they fight against Russian aggression.

As the Republican leader pointed out yesterday, we have a choice to make. I urge you all to choose in favor of our men and women in uniform and fulfill one of our most fundamental obligations and that is to fund the government.

Mr. President, before I yield, I would like to once again recognize my good friend the senior Senator from Vermont. It has been my great privilege and high honor to serve beside him for my entire Senate career. He personifies what it means to be a United States Senator, and this body will surely miss him.

I would also like to thank the entire Appropriations and leadership staff on both sides of the aisle, not only for their years of service while I served on the committee but also for once again doing the impossible under extremely demanding circumstances. It is my hope that we will reward your tireless efforts with a strong vote in favor of this bill.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, this is one of the most significant appropriations packages we have done in a very long time. The range of people it helps is large and deep. After a lot of hard work and compromise, the Senate is funding the government with an aggressive investment in American families, workers, and national defense.

Here is who it helps: working families, parents who can't afford childcare, pregnant workers, students, and so much more. It is one of the most significant packages for women across America, including protections for pregnant workers, part of the Momnibus and new moms who will now get 1 year of postpartum care. And it is fitting we are ending the 117th Congress by protecting our democracy through reforming the Electoral Count Act.

I want to thank the great staff of the Appropriations Committee: Chuck Kieffer and Chanda Betourney. I want to thank all of those who worked so hard and the members of the committee. And I think it is only appropriate to conclude with a round of applause for our two great leaders, Senators LEAHY and SHELBY, who have done a great job through the years on the Appropriations Committee.

(Applause, Senators rising.)

VOTE ON MOTION TO CONCUR

Mr. SCHUMER. I ask for the yeas and nays.

This will be, by the way—we couldn't work out that military thing—this will be the last rollcall vote.

Merry Christmas and a happy new year to one and all.

The PRESIDENT pro tempore. The question is on agreeing to the motion to concur with amendment No. 6552, as amended.

The yeas and nays are requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), and the Senator from North Dakota (Mr. CRAMER).

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 421 Leg.]

#### YEAS—68

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Inhofe	Rounds
Booker	Kaine	Sanders
Boozman	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Shelby
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Thune
Cornyn	Merkley	Van Hollen
Cortez Masto	Moran	Warner
Cotton	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Ossoff	Wicker
Gillibrand	Padilla	Wyden
Graham	Peters	Young
Hassan	Portman	

#### NAYS—29

Blackburn	Hawley	Risch
Braun	Hoeben	Rubio
Cassidy	Hyde-Smith	Sasse
Crapo	Johnson	Scott (FL)
Cruz	Kennedy	Scott (SC)
Daines	Lankford	Sullivan
Ernst	Lee	Tillis
Fischer	Lummis	Toomey
Grassley	Marshall	Tuberville
Hagerty	Paul	

#### NOT VOTING—3

Barrasso	Burr	Cramer
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The PRESIDENT pro tempore. On this vote, the yeas are 68, the nays are 29.

Under the previous order requiring 60 votes for the adoption of the motion to concur in the House amendment to the Senate amendment No. 4 with an amendment No. 6552, the motion is agreed to.

The motion was agreed to.

The PRESIDENT pro tempore. The Senator from Oregon.

#### MORNING BUSINESS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### SHIREEN ABU AKLEH

Mr. LEAHY. Mr. President, the 11th of December marked the 6-month anni-

versary of the violent death of widely respected Palestinian-American journalist Shireen Abu Akleh. On May 19, I echoed Secretary of State Blinken's call for an "independent, credible investigation" of her killing. At that time, several Members of Congress called for the FBI to be involved, as did I. That would be appropriate after a tragedy like this involving an American citizen killed overseas under questionable circumstances. Secretary Blinken later said, and I agree, that "[w]hen that investigation happens, we will follow the facts, wherever they lead. It's as straightforward as that."

Unfortunately, there has been no independent, credible investigation, at least not yet. Three months ago, the Israeli Government, after first blaming the Palestinians for Ms. Abu Akleh's death, stated that she was likely shot, by mistake, by an unnamed Israeli soldier. The U.S. Security Coordinator—USSC—also stated, at the time, that gunfire from Israeli Defense Force—IDF—positions was likely responsible, but that there was "no evidence to indicate her killing was intentional." The State Department acknowledges that conclusion was not the result of an investigation, but rather a review of information they were provided by the IDF and the Palestinian Authority. We were told that "the Administration continues to believe that cooperation among Israel, the Palestinian Authority, and the USSC is the best path to support a thorough, transparent, and impartial investigation."

Neither the Palestinian Authority nor the IDF can be relied on to objectively determine and make public all the facts of what happened in this case—nor have they. For the State Department to assert, prematurely, that fatally shooting an unarmed person, and in this case one with "PRESS" written in bold letters on her clothing, was not intentional, without providing any facts to support that conclusion, calls into question the Department's commitment to an independent, credible investigation and to "follow the facts, wherever they lead."

Before I was elected to the Senate, I was a prosecutor. I know a thing or two about homicide investigations, having participated in many. There are intentional, reckless, negligent, and justifiable or excusable homicides. Six months after Ms. Abu Akleh's death, key questions remain unanswered, including:

What specific evidence was the basis for the conclusion that "there is no reason to believe that this was intentional but rather the result of tragic circumstances?" Has everyone—the IDF personnel, Al Jazeera employees, and any others—who were in the proximity at the time of her death been questioned, and if so by whom?

What, specifically, were the "tragic circumstances" the State Department referred to?

Was the soldier who likely fired the fatal shot a trained marksman? Was he

looking through a scope? Was there anything obstructing his vision? If he did not intend to kill Ms. Abu Akleh, what did he intend? Did he have reason to believe that the shot would injure or kill her?

Were the rifle and ammunition he used, or the armored personnel vehicle he was reportedly inside or shielded behind when he fired the fatal shot, supplied by the United States? What IDF unit was he a member of? Is he still a member of the IDF? If so, is he on active duty?

If, as the Israeli authorities may be implying, the IDF soldier missed, who or what he was aiming at and killed Ms. Abu Akleh by mistake, who or what was he aiming at?

There are reports of earlier exchanges of gunfire, although not in the immediate vicinity where Ms. Abu Akleh was standing and not at the time she was shot. Is there any evidence that the shots that killed her and injured Ali Sammoudi, another unarmed Al Jazeera journalist, were fired as a legitimate act of self-defense?

How many shots were fired, and were they all fired by the same soldier? Have any other bullets been recovered, including the one that injured Mr. Sammoudi?

On July 5, the State Department spokesperson said, "We would want to see accountability in any case of a wrongful death. That would especially—and is especially the case in the wrongful death of an American citizen, as was Shireen Abu Akleh." Has anyone been held accountable, and if so, in what manner? What steps does the Department plan to take to ensure such accountability? What steps has the Department taken to determine whether the Leahy Law applies in this case?

Imagine if Shireen Abu Akleh were your sister—or your aunt—or your daughter. Wouldn't you be asking these questions and expect answers? Six months after her death, shouldn't we already know the answers?

Recently, it was reported that the FBI has opened an investigation in this case. I welcome that decision. The Israeli authorities immediately announced they would not cooperate with the FBI. I hope they reconsider, especially given that this involves the untimely death of an American citizen by the actions of a soldier of a country that receives by far the largest amount of U.S. military training and equipment. I have voted for that aid because I believe we should help Israel defend itself, especially with Iran financing anti-Israel terrorist groups and regularly calling for Israel's annihilation. But that does not prevent me from asking relevant questions and calling for a thorough, independent investigation of the violent death of an American journalist, likely by an IDF soldier. In fact, it compels me to do so.

There is an increasing foreboding that, as in so many other cases and like the murder of Jamal Khashoggi, there will never be the independent,

thorough investigation and accountability that Ms. Abu Akleh's family, the Secretary of State, I, and others have called for. That would further jeopardize the safety of journalists everywhere who courageously risk their lives to gather facts and inform the public. This year alone, according to the Committee to Protect Journalists, at least 38 journalists have been killed, 294 have been imprisoned, and 64 are missing. Whether Shireen Abu Akleh's killing was a tragic mistake or the result of a reckless or intentional act, there must be a full accounting. And if it was intentional and if those responsible are not brought to justice, then the Leahy Law must be applied.

#### IMMIGRATION POLICY

Mr. LEAHY. Mr. President, throughout my 48 years in the Senate, I worked to uphold the American tradition of a humane immigration policy and fought to advance comprehensive immigration reform. As an advocate for refugees and asylum seekers fleeing violence and persecution around the world, I have been committed to allocating resources to help welcome these vulnerable individuals and families to my home State. And I did my best to directly support the Vermont communities that do so much to help resettle and embrace them.

My office also has directly assisted thousands of Vermonters with visas, refugee resettlement, asylum, and other immigration casework. Over the past 48 years, this work has helped children and adults receive lifesaving medical treatment by enabling nurses, doctors, and dentists to join our short-staffed hospitals and clinics. It has also helped H-2A farmworkers to arrive in Vermont in time for harvest, work that is critical to our food supply and the success of our farms. My office has assisted students, scholars, engineers, musicians, athletes, and so many others to participate in and help grow our educational institutions and workforce, in the process often reuniting families separated for years. My staff and I have had the honor of witnessing Vermonters of all ages and from all walks of life realize their dreams to become citizens of the United States of America.

Working with Vermonters with diverse backgrounds from all across the globe, I have come to know their struggles and hardships as well as their successes and achievements. Some were fleeing war and persecution, others pursuing their own dreams and seeking a better life for their children. With great courage and determination and the assistance of so many caring and generous Vermonters, these New Americans have not only improved their own lives, they have also brought a great and lasting benefit to our State. Vermont, like the rest of this great Nation, is built on the contributions of immigrants.

The stories I hear from Vermonters who call my office has helped to inform

my work in Washington. After countless concerned Vermonters contacted my office as tens of thousands of Afghans fled persecution, I used my position as chair of the Senate Appropriations Committee to ensure adequate resources were available for resettlement in Vermont and elsewhere in the U.S. And when Ukrainians fled Russian attacks on their country to find safety in Vermont and elsewhere in the U.S., we appropriated funds to help them.

As former chair and ranking member of the Senate Judiciary Committee, I played a central role in shaping Federal immigration policy. At the forefront of my immigration priorities was passing legislation that incorporated the needs of Vermont agriculture and industry because I have long recognized the value immigration reform can have on state and local economies.

I also sponsored the H-2A Improvement Act, a bill to include dairy workers in the agricultural work visa program. And I have been a lead sponsor of the Agricultural Job Opportunities, Benefits, and Security Act to legalize the existing undocumented agricultural workforce in order to help America's farmers stay a productive and a vital part of the American economy.

While the reforms I believe are needed across our entire immigration system have not yet been completed, I am proud that during the 113th Congress, the Senate made significant progress toward this goal by passing S.744, the Border Security, Economic Opportunity, and Immigration Modernization Act, with an overwhelming bipartisan vote. This legislation sought to enhance border security, create a workable and accurate electronic workplace verification system, reform some of the legal immigration system, and provide a tough but achievable pathway to citizenship for the estimated 11 million undocumented immigrants in the country. It contained important long-standing initiatives that would directly benefit Vermont agriculture and industry, including important improvements to the agricultural temporary worker visa program, and reforms that both streamlined and strengthened oversight of the job-creating immigrant investor EB-5 Regional Center Program.

Nearly a decade ago, I re-introduced the Refugee Protection Act. This bill would improve protections for refugees and asylum seekers and fulfill the U.S. obligations under the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. And I was a leading voice to demand an end to the expanded use of family detention for mothers and children fleeing violence in Central America. Beginning in 2003, I fought to end discrimination based on sexual orientation in our immigration laws through the Uniting American Families Act, legislation that would allow U.S. citizens and lawful permanent residents to petition for their foreign same-sex partners to come to the United States through the family im-

migration system. In June 2013, the Supreme Court decided *United States v. Windsor*, which held that the Federal Government cannot discriminate against married same-sex couples for the purpose of Federal benefits and responsibilities. The result was the fulfillment of my goal to ensure that married same-sex couples have full immigration rights.

Thirty years ago, I visited a refugee camp. I brought my camera, as I do everywhere, so that I could show people back in Washington the human toll of an issue. A man there encouraged me to take his picture. I looked at his worn and weary face through the range finder. We sat and talked afterward, and he said simply: "Don't forget people like me." The black and white photo hung above my desk for 30 years; every day I came to work, he looked at me, saying, "You don't know my name, you don't speak my language, there's nothing I can do to help you—but what are you doing for people like me?" That photo and the question it provokes helped guide my approach to immigration legislation and other policy areas over the years.

So much more needs to be done, but we must also remember our accomplishments and always honor the immigrants who have made this country a great nation.

#### AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I have been a member of the Senate Agriculture Committee for 48 years, since I was elected in 1974. I have helped to write nine farm bills, and I have overseen the creation of programs that have helped farmers, food systems, and consumers alike. Throughout the years, I have been proud to bring born-in-Vermont ideas back to DC.

I was warned when I first came to the Senate not to get on the Agriculture Committee because I would never be able to get off. And they were right. But that has been just fine with me because the work we have done on this committee and in the farm bills has always been so important, and the work has been bipartisan, in the best tradition of the Senate.

I have always worked to make healthy food accessible to everyone. In 1988, I authored the Hunger Prevention Act, which improved child nutrition and SNAP programs and provided other hunger relief. In 1994, I worked to provide funding for WIC, provide milk to low-income students, fund school breakfast programs, encourage organic foods at school lunches, and expand WIC at farmers markets, and promote healthy eating habits for children through the better Nutrition and Health for Children Act. And in 2010, I authored the Healthy Hunger Free Kids Act, which created the Farm to School Program, which brings locally grown food into schools.

I have been proud to advocate for small- and mid-sized dairy farms,

which are integral to the history and fabric of Vermont. Family dairies have struggled and I have been honored to lead the work in the Senate to find the right model to help family dairy farms manage risk. After several innovative models, our current one, the Dairy Margin Coverage Program, seems to be working, and I hope that it will be renewed and improved in the next farm bill.

In 2018, I advocated to bring one of the Regional Dairy Business Innovation Centers to Vermont, which now serves the entire Northeast, supporting the development, production, marketing, and distribution of dairy products.

This committee has also been home to some of the most significant Federal forest conservation laws. In 1990, I oversaw the creation of the Forest Legacy Program, which protects private forests through conservation easements or land purchases. Since 1990, the Forest Legacy Program has conserved more than 2.8 million acres of forest land across all 50 States and U.S. Territories. And in 2008, using the historic Vermont town forest system as a model, I led the creation of the Community Forest and Open Space Conservation Program, which allows communities to acquire and conserve forests that provide public access, recreation, protect water supplies and wildlife habitat, serve as demonstration sites for forest landowners, and provide economic benefits from these products.

One of my proudest achievements was as chairman of the Agriculture Committee in 1990, when I authored the Organic Food Production Act, which established the USDA Organic program. What was predicted to be a “crunchy granola sideshow” has become a nearly \$58 billion industry.

I have so valued that this is, perhaps, the least partisan of all Senate committees. Please be reminded of this if you glance up at my portrait in 2023 and beyond. Keep in mind that while we will have our differences, farm bills have always been bipartisan, and we have always come together to support our farmers and rural communities.

#### CYBERSECURITY AND ASSURED MICROELECTRONICS

Mr. LEAHY. Mr. President, the most important technology connections are ones between people. Vermont is a place where people connecting is not only important to life, but is the very fabric of it. It was natural, I think, for me to see cyberspace as a continuation of connections like in Vermont. It is why I created one of the first websites in the Senate. It is why I have done hundreds of video chats with Vermont schoolchildren. And it is why I have ensured that among the billions of dollars of the Federal budget appropriated for cyberspace programs the executive agencies pay attention to the special perspective we have in Vermont.

For all the machines connected to each other that make up cyberspace,

the real connectivity is between the people using them, coding their software, and fabricating their hardware. Any cyber specialist will tell you the weakest link in security is the humans who use or create the programs and hardware. But they will also tell you that humans have the potential to be the most powerful part of the network.

Much of my work has been about improving the way the human connections strengthen the technological ones. I created the Trusted Foundry Program and have supported its evolution, so people in the U.S. Government and critical industries know that the chips they put in their equipment come from a fab that has the highest level of security against meddling by bad actors. The men and women in Essex Junction, VT, at GlobalFoundries work at such a fab, and the IBMers there administer the program nation-wide.

At Champlain College, I established the Leahy Center for Digital Investigation, so there would be a place where protecting and serving people in the physical world benefits from the online one. Their recent work to educate on collection of data from crime scenes that meets evidentiary standards for the Internet of Things—all the connected devices that now exist in our lives—has set a standard for the Nation, and their work with the U.S. Secret Service has improved the work at their premier cyber school for law enforcement in Alabama.

This summer, I am proud that Norwich University announced at Vermont's first annual Cyber Symposium that their School of Cybersecurity and Advanced Computing would bear my name. I am proud because, for years, their students and faculty have been a national treasure. Among many, many achievements, Norwich created and I secured funds for the wildly successful DECIDE program for command and control cyber exercises with the Department of Homeland Security, now in its fourth expansion in this year's omnibus. Norwich's expertise in helping local governments prepare for and respond to cyber events, their education opportunities for undergrads, secondary degrees, guardsmen and reservists, and their upcoming expansion of their cybersecurity discipline to fully embrace the roles of information operations, machine learning, and AI-assisted decision-making in security, are all ways they are showing national leadership.

The important connections between people go back to the earliest days of Vermont. We have always had to rely on each other. That has made us strong and resilient. Everyone here shows that we have continued that tradition into the digital age, using technology to reinforce and create new bonds between us. It has been an honor to support and strengthen that during my Senate career, and I look forward to seeing how Vermonters continue to grow in connection with each other and the world.

#### RECOGNIZING CENTER FOR CIVILIANS IN CONFLICT

Mr. LEAHY. Mr. President, in 2023 the Center for Civilians in Conflict will celebrate its 20th anniversary. This is a significant milestone, as I vividly recall when CIVIC, originally named the Campaign for Innocent Victims in Conflict, was created by Marla Ruzicka. When I first met Marla she was a 26-year-old dynamo from Lakeport, CA, who had gone to Afghanistan on her own to raise awareness about civilian casualties of U.S. military operations. Like many of us, she had read reports of repeated incidents of U.S. bombs missing their targets and wiping out whole neighborhoods, of innocent people being shot at checkpoints, and other deaths and injuries of civilians. Marla not only read about those tragic incidents; she became a one-woman campaign with a laptop who, within a few months of arriving in Kabul, was quoted in the New York Times and other publications, calling on the U.S. to do more to protect civilians and assist those who were harmed. As a result of her efforts, Congress created funds for both Afghanistan and Iraq, administered by the U.S. Agency for International Development, to provide such assistance, the latter fund named for Marla after she was killed, herself an innocent victim of war, in a car bombing in Baghdad on April 16, 2005.

While no one could replace Marla's vivaciousness and passion for the cause of protecting civilians in war, CIVIC survived that terrible loss and has since evolved into a global advocacy organization devoted to protecting civilians who increasingly bear the brunt of armed conflicts. Ukraine is a horrifying example that is on the front pages every day, but there are many others—in South Sudan, Yemen, Syria, and Burma to name a few.

In August, a year after the disastrous U.S. missile strike that killed a whole family in Kabul after multiple egregious intelligence failures, Secretary of Defense Austin released the Pentagon's own Civilian Harm Mitigation and Response Action Plan. If fully implemented, it could significantly improve the way the Pentagon addresses civilian harm. CIVIC and other advocacy organizations have been calling for such reforms, as have I since as far back as when Marla was still alive. Congress even enacted legislation that specified procedures for evaluating claims and making *ex gratia* payments to eligible civilian victims, but the Pentagon ignored them. They also failed to utilize millions of dollars appropriated by Congress for this purpose, despite the obvious needs in Syria and elsewhere. So I welcome this long overdue step, but as currently envisioned, the action plan is prospective and does not contemplate investigations of past incidents of civilian casualties or assistance for those victims. That is wrong. It should provide for victims of past incidents, at least those for which credible information has already been collected, and I urge the

Secretary of Defense to revisit this question.

The importance of minimizing harm to civilians in conflict cannot be overstated. For far too long, senior officials of United States and other countries' armed forces spoke little about civilian casualties, treating them as regrettable collateral damage that is inevitable in warfare. In fact, if the laws of war are to be taken seriously, they require effective procedures and rigorous enforcement. CIVIC's mission, 20 years after Marla Ruzicka compelled us to pay attention, is as relevant today as it was then, to ensure that everything is done that can and should be done to protect civilians in conflict, and to assist those who are harmed. By doing so we reaffirm our respect for human life and human dignity that people around the world expect of us, we mitigate anger and resentment within local populations whose support we need, and we enhance the reputation and mission of our own Armed Forces.

#### RECOGNIZING HIGHER EDUCATION IN VERMONT

Mr. LEAHY. Mr. President, I rise today to celebrate the incredible institutions of higher education in my home State. Like many Vermonters, I was the first in my family to attend college—I chose a small, liberal arts, Catholic college—Saint Michael's College in Colchester, VT. St. Mike's, as it is affectionately called, was a home away home for me during some of my most formative years. It was there that I met my wife Marcelle, received my B.A. in government, and from where I left to receive my JD from Georgetown University Law Center.

Higher education is a path out of poverty and towards personal and professional growth for so many Americans. When those who choose to seek higher education, are able to do so—everyone succeeds. Throughout my 48 years in the Senate, I have worked to increase access to higher education through programs such as TRIO, the Public Service Loan Forgiveness Program, Pell grants, and Federal Work-Study. I know how important these programs are because I am a product of a quality Vermont education. Each year, thousands of students attend Vermont colleges and universities. My alma mater, St. Mike's, is not the only quality school—but one of many.

The University of Vermont, founded in 1791, is a public land-grant research university that has championed agricultural, opioid-misuse, rural development, and medical research, among many other fields of study. I have been honored to be one of UVM's biggest fans and supporters in Congress. Throughout his tenure, President Garimella has been an incredible partner of mine and Marcelle, and I look forward to spending more time with him and his wife in Burlington.

Another legendary institution is the Vermont State College system. Today,

it is comprised of several outstanding institutions: Castleton, Northern Vermont University, VT Tech, and Community Colleges of Vermont. Each of them in their own right have made a name for themselves through great strides in nursing and teaching workforce development, creating high-technology manufacturing jobs, rethinking remote learning, and expanding opportunity for mid-career learners.

I recognize that the future of higher education is often disputed. What does it offer young people in the face of uncertainty and economic insecurity? The cost of higher education has ballooned and has become out of reach for too many families. Higher education's intent has become lost. Higher education—college or university—should never be a prerequisite to a job that supports one's family.

However, higher education—such as the extension program at UVM or the language programs at Middlebury College—provide the tools to better understand our complex and constantly changing universe. They provide a challenge to get to know ourselves better and a community to sustain us.

I rise today to honor one of the places, one of the communities that first raised me, gave me a home, and a purpose. From my time travelling throughout the State, I have met Vermonters who are cybersecurity experts, doctors, researchers, mechanics, arborists, and teachers. Many of them, like me, were the first in their family to seek continuing education and many have told me that they never could have imagined this bright of a future.

I am confident that long after my tenure in the Senate, Vermont colleges and universities will continue to provide a home, challenge, and pathway to the future for Vermonters and students from around the world.

#### TRIBUTE TO NANCY PELOSI

Mr. MCCONNELL. Mr. President, before the conclusion of the 117th Congress, I want to add a few of my own congratulations to the outgoing Speaker of the House, NANCY PELOSI, as she concludes her second history-making and history-changing tenure as Speaker.

It is a cliché to begin these kinds of tributes with the obligatory observation that the person speaking and the subject of the reflections had their fair share of disagreements. In this particular case, that cliché certainly applies in full. Over the course of our careers, Speaker PELOSI and I have disagreed both frequently and forcefully on practically every kind of national issue that comes before Congress. We have led opposite parties. We have spent many years fighting hard on behalf of policies, ideas, and visions that usually sharply diverged.

But all of the frequent interactions that have brought our differences into sharp relief have also given me a close-up view of the formidable qualities

that fueled the Speaker's historic life journey to becoming the first woman ever to lead the House and made her such an effective advocate for her party's point of view.

Throughout our Nation's history, rising to prominence in Congress has often seen leaders sorted into competing archetypes of either a pragmatist or an idealist. But Speaker PELOSI's leadership has resembled a combination of both. Even while working to synthesize the views of the entire Democratic Caucus, the Speaker never relinquished her own passionate, substantive set of convictions on policy matters.

Speaker PELOSI's ability to marshal her side of the aisle to support specific tactics and outcomes has been formidable. It has made her a powerful partner to multiple Democratic Presidents. These abilities paved the way for the Speaker's instrumental role in helping to deliver a long list of consequential policy changes. I have no doubt that historians will reserve Speaker PELOSI a place on their lists of the most influential and consequential Speakers that our country has seen thus far.

On the very rare occasions when the Speaker and I did find ourselves rowing in the same direction—such as our shared determination that the House and Senate reconvene as soon as humanly possible on the evening of January 6, 2021, and complete our constitutional duties straightaway—I was glad to have this formidable leader in my corner.

I congratulate the Speaker on the conclusion of her time leading the House.

#### DISASTER RELIEF

Mr. GRASSLEY. Mr. President, I have historically supported disaster assistance to farmers and others who experience losses due to no fault of their own.

However, I had to vote no on Senator SCOTT's disaster relief standalone amendment. As a lifelong family farmer and taxpayer watchdog, I have fought for many years to close loopholes that have allowed some farming operations to exploit Federal farm payments at taxpayer expense.

Congress has been generous when it comes to supporting farmers. Farmers have federally subsidized crop insurance, commodity payments, and supplemental disaster payments. Farmers also had access to Market Facilitation Program during the Trump administration and Coronavirus Food Assistance payments in the past couple years.

The Scott amendment would remove any payment limit to the disaster supplemental payments. This is a dangerous precedent to set. This amendment would release the spigot of disaster payments to wealthy farmers without regard to how much total assistance we are providing, which could mean less funding for family farmers who really need the help most.

I want a strong farm safety net program that helps farmers weather downturns in the market and survive natural disasters, but I do not want an unending stream of payments with no caps.

This amendment aims to help large farms get large bailouts while small farmers are left behind. Instead of fundamentally changing market dynamics, we should work together to make sure small and medium sized farmers do not get left behind in farm payment programs. This is especially true as we go into farm bill discussions in the next Congress.

#### OMNIBUS

Mr. KENNEDY. Mr. President, this bill, the Consolidated Appropriations Act of FY23, addresses an issue that I have been dealing with for well over a decade, since I was Louisiana State Treasurer. The U.S. Treasury Department is sitting on nearly \$30 billion in mature, unredeemed savings bonds, issued years or decades ago to hard-working Americans who wanted to invest in America. States, who have long held the responsibility of holding and making available lost assets, have tried to subject these savings bonds to the time-honored, reliable escheatment and unclaimed property process. At every turn, their efforts have been opposed by Treasury, which has also rebuffed any offers from the States to use their vast capabilities to help reunite bondholders or their rightful heirs to these funds. Instead, Treasury has made its own attempts at digitizing and updating its voluminous bondholder records and creating a database for users—efforts which have failed to make any meaningful dent in the amounts of unredeemed debt, according to their own status report.

This bill includes a provision that directs Treasury to provide States with information relating to bond purchases, including the name, applicable address, co-owners or beneficiaries, and the bond serial numbers which claimants often need to reclaim their funds. I understand that Treasury has said it may not have enough data in its records to match the serial numbers with the name and address of the bondholder; this is why the bill's language includes some flexibility, stating that the information Treasury must provide to States "may" include bond serial numbers. This wording allows Treasury to use its discretion in the limited instances when it is incapable of providing those numbers, but the overall language makes clear that Treasury is obligated to make every effort to locate relevant and necessary information and provide it to the correct States. I expect Treasury to issue regulations which will fulfill these responsibilities.

The bill's definitions ensure that this will cover both paper and paperless bonds—and I want to clarify also includes bonds that were issued in paper

but have been lost, stolen, or destroyed. Treasury's own 2021 report on mature unredeemed debt describes the process for bond owners who have the necessary information but not the paper document itself as lengthy, complex, and a hindrance that discourages claimants. The clear purpose of this legislation is to make this process simpler by opening it up to States, and Treasury should issue regulations reflecting this intent.

#### PREGNANT WORKERS FAIRNESS ACT

Mr. DAINES. Mr. President, the purpose of the Pregnant Workers Fairness Act is to help pregnant mothers in the workplace receive accommodations so that they can maintain a healthy pregnancy and childbirth. Therefore, I want to make clear for the record that the terms "pregnancy" and "related medical conditions," for which accommodations to their known limitations are required under the legislation, do not include abortion.

On December 8, the sponsor of this legislation, Senator BOB CASEY stated on the Senate floor as follows: "I want to say for the record, however, that under the act, under the Pregnant Workers Fairness Act, the Equal Opportunity Employment Commission, the EEOC, could not—could not—issue any regulation that requires abortion leave, nor does the act permit the EEOC to require employers to provide abortions in violation of State law."

Senator CASEY's statement reflects the intent of Congress in advancing the Pregnant Workers Fairness Act today. This legislation should not be misconstrued by the EEOC or Federal courts to impose abortion-related mandates on employers, or otherwise to promote abortions, contrary to the intent of Congress.

#### PREGNANT WORKERS FAIRNESS ACT

Mr. CASEY. Mr. President, I wish to expand upon the remarks I delivered earlier today on the Pregnant Workers Fairness Act, which this body voted to include in the omnibus spending package. I first introduced this bill in 2012 with Senator SHAHEEN. Senator CASIDY joined us this Congress, and the bill now has broad, bipartisan support.

The Pregnant Workers Fairness Act is a very straightforward piece of legislation; it closes a loophole in the 1978 Pregnancy Discrimination Act to allow pregnant workers to request reasonable accommodations so that they can continue working safely during pregnancy and upon returning to work after childbirth. This is a commonsense bill that has broad, bipartisan support—everyone from the ACLU to the U.S. Conference of Catholic Bishops to the Chamber of Commerce.

The Pregnant Workers Fairness Act is very simple. Pregnant workers should be able to request reasonable

accommodations—a stool, a water bottle, a bathroom break—when such an accommodation would help them remain at work safely during their pregnancy and so they can return to work after childbirth. Other accommodations that a pregnant worker might request include, but are not limited to, light duty, temporary transfer, additional or more flexible breaks, changing food or drink policies, time off to recover from childbirth, accommodations for lactation needs, and flexible scheduling.

The bill is intended to help women like Peggy Young, a UPS driver who requested light duty while she was pregnant. Peggy was denied her request, even though other workers had received light duty, because there is no requirement under the 1978 Pregnancy Discrimination Act to provide reasonable accommodations. She was forced onto unpaid leave and eventually took her case all the way to the Supreme Court. She won, but the ruling did not provide full protections to the millions of workers who get pregnant each year. That is why we need the Pregnant Workers Fairness Act, so that every pregnant worker will be able to request an accommodation without fear of being fired or forced on leave, when all she needs is a stool or a bathroom break.

Young did not solve this issue, and the standard is still unworkable for employers and pregnant workers. After Young, over two-thirds of women still lost their Pregnancy Discrimination Act pregnancy accommodation claims in court, mostly because they were unable to find a suitable comparator under the Young comparator framework. Pregnant workers need immediate relief to remain healthy and on the job. Pregnant workers should not have to muster evidence and identify someone else at work to get their own medically necessary accommodation, as basic as a stool or extra restroom breaks. Pregnant workers, especially in low-wage industries, usually do not have access to their coworkers' personnel files and do not know how all their coworkers are being treated.

The Pregnant Workers Fairness Act would create a clear, explicit right to accommodations, allowing pregnant workers to remain healthy and attached to the workforce. It is a solution that provides clarity to both employers and employees. That is why the U.S. Chamber of Commerce and other business groups support the Pregnant Workers Fairness Act.

The Pregnant Workers Fairness Act sets up a simple framework that is easily understood and utilized by both employers and employees. Under the Pregnant Workers Fairness Act, a pregnant employee may request reasonable accommodations from their employer, the same process that individuals with disabilities use under the Americans with Disabilities Act. Employers are familiar with it, the interactive process is easier for both the worker and the employer.



Workers will be able to secure the accommodations they need in a timely manner, while employers will avoid costly litigation over allegations of discrimination. A significant advantage of using this same framework is that employers are already familiar with it—and have over 30 years' experience providing reasonable accommodations to people with disabilities already.

Over the years, I and my colleagues—along with supporters of the legislation—have worked carefully to ensure that the Pregnant Workers Fairness Act will both protect pregnant workers from discrimination and provide actionable, realistic parameters and guidance for employers. That is why, as I mentioned previously, the bill has the support of over 200 advocacy groups from all parts of the ideological spectrum.

Now, some have claimed that the Americans with Disabilities Act—ADA—already gives pregnant workers who truly need accommodations a right to accommodations. That is simply not true. It is not what we are seeing on the ground or what courts are deciding in their rulings.

First, the ADA does not protect pregnant workers who need accommodations to prevent complications from arising in the first place, such as extra restroom breaks to prevent a urinary tract infection or temporary light duty to prevent a miscarriage, which doctors sometimes advise.

Second, many courts have held that the ADA does not protect even those pregnant workers with serious pregnancy complications like a high-risk pregnancy, bleeding, or severe nausea. That has remained the case even after Congress expanded the ADA in 2008. Clearly, the ADA, while a vitally important law, is not adequate to keep pregnant workers healthy and on the job.

It is time to step up and protect pregnant workers who just need a little help—a water bottle, a stool, light duty—in order to keep working safely. This is the right thing to do. The Pregnant Workers Fairness Act is a reasonable and responsible bill that will help workers continue working safely during pregnancy and after childbirth. With broad support and a framework that is already familiar to employers, the Pregnant Workers Fairness Act is a commonsense, bipartisan bill that should be enacted without delay.

In closing, I would like to reiterate my thanks to Senator CASSIDY, who has been a true partner on this bill, along with our staffs; Senator SHAHEEN, for cosponsoring with me all these years; Senator MURRAY and Senator BURR for their work to shepherd the bill through the Committee on Health, Education, Labor, and Pensions; and the majority leader, Senator SCHUMER, for helping us to see this bill through the U.S. Senate.

## ENHANCING TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS

Mr. MENENDEZ. Mr. President, the committee finished a report entitled, "Enhancing Transparency on International Agreements and Non-Binding Instruments." I ask unanimous consent that a copy of that report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### ENHANCING TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS

Report on section 5947, Enhancing Transparency on International Agreements and Non-Binding Instruments, of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, H.R. 7776.

#### I. PURPOSE

The Committee strongly supports robust diplomacy and international engagement, including efforts to advance U.S. interests through the negotiation and implementation of international agreements and nonbinding instruments with allies, partners, and other actors. These efforts must be conducted with accountability to Congress and, to the greatest extent appropriate, transparency for the public, as both are essential to our democracy.

The Case-Zablocki Act of 1972 (P.L. 92-403; also known as the "Case Act") was an important but highly-limited and long-outdated framework for reporting on binding international agreements. Section 5947 of H.R. 7776, Enhancing Transparency on International Agreements and Non-Binding Instruments, strengthens and modernizes the Case Act and makes it applicable, for the first time, to non-binding instruments. Even with this broadened scope, however, the Case Act is only the starting point—a basic notification and publication requirement. It does not replace consultation with Congress on the development of our foreign policy or substantive engagement with the public on commitments entered into on behalf of the American people.

#### II. COMMITTEE ACTION

Chairman Menendez and Ranking Member Risch first proposed an amendment to update the Case Act as part of the Committee's consideration of S. 1169, the Strategic Competition Act of 2021 (SCA). The bipartisan provision was included as section 310 of the SCA. On May 10, 2021, the Committee considered the SCA and ordered it reported, with an amendment in the nature of a substitute, by a vote of 21-1.

A modified version of the Case Act reform passed the Senate on June 8, 2021 as section 3310 of S. 1260, the United States Innovation and Competition Act of 2021 (USICA).

The House of Representatives passed a further modified version as section 5947 of H.R. 7776, the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (NDAA or FY 23 NDAA), on December 8, 2022. The Senate subsequently passed section 5947 as part of the NDAA on December 15, 2022.

#### III. SECTION-BY-SECTION SUMMARY

A summary of the provisions of section 5947 of H.R. 7776, follows:

Paragraph 5947(a)(1) amends 1 U.S.C. 112b as follows:

Subsection 112b(a): This subsection requires the Secretary of State not less frequently than once each month to provide to congressional leadership and the appropriate congressional committees a list of all international agreements and qualifying non-

binding instruments signed, concluded, or otherwise finalized during the prior month, as well as those that entered into force or became operative. For such international agreements and qualifying non-binding instruments, the Secretary must provide the text and a detailed description of the legal authority relied on, as well as a description of any new or amended statutory or regulatory authority anticipated to be required to implement an agreement or qualified non-binding instrument. The required information must be provided in an unclassified form but may include a classified annex.

Subsection 112b(b): This subsection requires the Secretary of State to make public on the State Department website the text of newly-operative international agreements and qualifying non-binding instruments, with certain exceptions, as well as the information required to be reported to Congress under subsection 112b(a).

Subsection 112b(c): This subsection requires the Secretary of State to provide the text of implementing agreements or arrangements for international agreements or qualifying nonbinding instruments, or any other documents of similar purpose or function, whether binding or not binding, if not otherwise required to be submitted under subsection 112b(a)(1). The text must be provided within 30 days of receipt by the Secretary of a written communication from the Chair or Ranking Member of either appropriate congressional committee requesting the text.

Subsection 112b(d): This subsection requires any U.S. Government department or agency that enters into any international agreement or qualifying non-binding instrument to provide the text to the Secretary of State within 15 days of signature or conclusion, or otherwise being finalized, in addition to a detailed description of the legal authority that provides authorization for each qualifying non-binding instrument to become operative after such instrument is signed. (With regard to international agreements, the Committee understands that the relevant agency would have already been obligated to submit the legal authority to the Department of State through the Circular-175 process.) This subsection further requires such department or agency to provide on an ongoing basis any implementing materials to the Secretary for transmittal to congressional leadership and the appropriate congressional committees to satisfy the requirements of subsection 112b(c).

Subsection 112b(e): This subsection requires each U.S. Government department or agency, including the Department of State, which enters into any international agreement or qualifying non-binding instrument to designate a Chief International Agreements Officer, with particular requirements. Further, it establishes an International Agreements Compliance Officer at the Department of State.

Subsection 112b(f): This subsection requires the substance of oral international agreements to be reduced to writing for purposes of meeting requirements of subsections 112b(a) and 112b(b).

Subsection 112b(g): This subsection provides that notwithstanding any other provision of law, an international agreement may not be signed or otherwise concluded on behalf of the United States, without prior consultation with the Secretary of State. Such consultation may encompass a class of agreements.

Subsection 112b(h): This subsection requires the Comptroller General to conduct an audit and submit the results to congressional leadership and appropriate congressional committees, at least every three years for nine years, assessing the Secretary of State's compliance with reporting requirements under this section, in addition to particular issues related to whether any failure



to comply resulted from failure or refusal by other departments and agencies to provide necessary information or material to the Department of State. The Comptroller General and Secretary of State are required to make the information publicly available.

Subsection 112b(i): This subsection requires the President and Secretary of State to promulgate rules and regulations that may be necessary for implementing this section.

Subsection 112b(j): This subsection expresses the sense of Congress that the executive branch should not prescribe or otherwise commit to specific legislative text in a treaty, executive agreement, or non-binding instrument unless Congress has authorized such action.

Subsection 112b(k): This subsection defines key terms including “appropriate congressional committees”; “appropriate department or agency”; “qualifying non-binding instrument”; and “text” with respect to an international agreement or qualifying non-binding instrument.

Subsection 112b(l): This subsection includes two rules of construction: first, that nothing in the section may be construed to authorize the withholding from disclosure to the public of any record if such disclosure is required by law (e.g. pursuant to the Freedom of Information Act, 5 U.S.C. 552). The second rule of construction provides that nothing in the section may be construed to require the provision to congressional leadership or the appropriate congressional committees of any implementing agreement, arrangement, or document of similar purpose or function, entered into by the Department of Defense, Armed Forces, or any element of the intelligence community, or any implementing material originating with the aforementioned agencies, if such agreement, arrangement, document, or material was not required to be provided to congressional leadership or the appropriate congressional committees prior to date of the FY 2023 NDAA.

Paragraph 5947(a)(4) requires the Secretary of State to establish within 270 days after enactment a mechanism for State Department personnel who become aware or have reason to believe that the requirements of the amended Case Act have not been fulfilled to report such instances to the Secretary.

Paragraph 5947(a)(5) calls on the President, through the Secretary of State, to promulgate within 180 days after enactment rules and regulations necessary to carry out the Case Act, as amended by this section.

Paragraph 5947(a)(6) requires the Secretary of State to consult with the Senate Foreign Relations Committee and House Foreign Affairs Committee on matters related to implementing this section before and after the effective date in subsection 5947(c). It further requires the Secretary to brief, every 90 days for one year after enactment of the FY 2023 NDAA, the Committees on Foreign Relations and Appropriations of the Senate and Committees on Foreign Affairs and Appropriations of the House of Representatives, on the status of efforts to implement the section and amendments made by it.

Paragraph 5947(a)(7) authorizes to be appropriated to the Department of State \$1,000,000 for each fiscal year 2023 through 2027 for purposes of implementing the requirements of the Case Act, as amended by section 5947.

Paragraph 5947(b) retains and updates the requirement under Section 112a of title 1, United States Code, for the Department of State to provide, upon request copies of international agreements in its possession, but not published. This subsection also expands that requirement to apply to qualifying non-binding instruments.

Paragraph 5947(c) provides that amendments made by this section will take effect 270 days after the date of enactment of the FY 2023 NDAA.

#### IV. DISCUSSION

Section 5947 of H.R. 7776 is a critical bipartisan reform of the Case Act. It reflects notable developments in practice over the past fifty years in how the U.S. Government engages in diplomacy through accords with other countries and international actors. Key aspects of section 5947 include:

expanding the Case Act publication and congressional reporting requirements to cover the text of qualifying nonbinding instruments (QNIs);

requiring more timely reporting to Congress and publication of the text of international agreements, and mandating that the executive branch provide to Congress and the public detailed information related to each particular agreement and QNI, including the legal basis that, in the view of the executive branch, provides authority to bring the instrument into force;

strengthening intra-executive branch organization and coordination on international agreements and QNIs, including through explicitly requiring that each agency of the federal government that enters into agreements or QNIs (1) provide text of agreements and nonbindings to the State Department, along with associated information, within 15 days of signature, and (2) appoint a Chief International Agreements Officer with responsibility for compliance with the Case Act;

providing a more complete and holistic understanding of agreements and QNIs for the entirety of the time in which they are in force or operational by ensuring ongoing access for Congress to implementing materials (subject to the rule of construction in 112b(1)(2)), and;

facilitating successful implementation of the amended Case Act by (1) requiring that the Department of State consult with the congressional foreign affairs committees on an ongoing basis on matters related to such implementation, (2) authorizing \$1 million per year for fiscal years 2023 through 2027 for implementation, and (3) and mandating GAO audits of executive branch compliance.

An informal comparison of key features of the amended Case Act versus the law prior to enactment of section 5947 can be found in the chart on p.9. The discussion below focuses on one particular aspect: the expansion of the Case Act to nonbinding instruments.

#### CASE ACT COVERAGE OF NONBINDINGS

##### Background

When it was enacted in 1972, the Case Act was a groundbreaking recognition of developments to that date in executive branch practice, namely a shift in conducting foreign policy and reaching accords with other countries, from Article II treaties, entered into with the Senate's advice and consent, to executive agreements. Since then, however, executive branch practice has shifted again, in the direction of nonbinding instruments.

Updating the Case Act now is critical to address this shift. Previously, there had been no uniform statutory approach to nonbinding instruments and no standing requirement that they be shared with Congress or, if appropriate, e.g., not involving classified information, shared with the public. Consequently, as such instruments have proliferated, there has been increasingly less visibility into the international commitments made on behalf of the United States.

Congressional oversight on nonbindings has depended in part on case-specific statutory requirements with respect to particular nonbinding instruments or, in the absence of any such law, requests from members of Congress for text and information on specific nonbindings. The most prominent example of a case-specific statute is the Iran Nuclear Agreement Review Act of 2015, P.L. 114-17

which ensured that Congress had access to the Joint Comprehensive Plan of Action (JCPOA).

This ad hoc approach is not sustainable or acceptable, especially given the increasing reliance on nonbindings. Passing case specific legislation is a difficult, uncertain, and time-consuming endeavor that devours scarce legislative resources, yet covers only the tiniest fraction of the executive branch's expansive nonbinding practice. On the other hand, when there is not a specific statutory mandate for the executive branch to engage Congress on a nonbinding, the Committee's experience demonstrates that it cannot expect to receive basic information in a timely manner or on a consistent basis. Further, there have been instances when the executive branch has simply denied or refused to take any action on basic requests to provide the final text of nonbindings signed with foreign governments. Expansion of the Case Act to cover nonbindings is intended to address this obvious gap in U.S. law.

#### DEFINITION OF QUALIFYING NON-BINDING INSTRUMENT IN SECTION 5947

The requirements of section 5947 apply to “qualifying nonbinding instruments” (QNI). That term is defined as those nonbindings that “could reasonably be expected to have a significant impact on the foreign policy of the United States,” as well as those that are the subject of a written communication from the Chair or Ranking Member of either of the congressional foreign affairs committees to the Secretary of State.

The Committee anticipates that the State Department will promulgate a regulation or share informal guidance for purposes of executive branch implementation and application of the “significant impact” standard. During the negotiation of section 5947, the Committee shared its view that the executive branch must ultimately assess the totality of the facts and circumstances in determining whether a particular nonbinding meets the significant impact standard. That view has not changed.

Factors the Committee expects to be considered as part of the analysis include, but are not limited to, whether a nonbinding is politically significant or if there is congressional or public interest in the instrument, as well as if implementation of the nonbinding (1) affects the rights or responsibilities of American citizens or individuals in the United States; (2) impacts State laws; (3) has budgetary or appropriations impact; (4) requires changes to U.S. law to satisfy commitments made therein, or; (5) presents a non-trivial degree of commitment or risk for the entire Nation. The Committee views the presence of any of those factors as relevant and militating in favor of treatment of an instrument as a QNI and urges the State Department to include them in the implementing regulations or interagency guidance for the amended Case Act.

The Committee notes that whether a nonbinding instrument could reasonably be expected to have a significant impact on the United States cannot be dictated by comparison to those highly publicized nonbinding instruments that were shared with Congress prior to enactment of this legislation, e.g., the JCPOA and the U.S.-Taliban Agreement. Those instruments were profoundly and extraordinarily significant and therefore do not set the bar for what constitutes mere significance. Nor should significance be determined by the form or structure of an instrument or the number of participants involved—the Committee expects that both bilateral and multilateral nonbindings will meet the standard, as will nonbindings that share a form and structure similar to a binding agreement and those that do not. Finally, the Committee notes that while a non-

binding on a purely technical matter may not on its own rise to the level of “significant impact,” particular circumstances could lead to even technical nonbindings having a significant impact on foreign policy—e.g. if a nonbinding, although technical in nature, were of particular importance to a bilateral relationship.

The Committee appreciates that there will inevitably be close calls on whether a particular nonbinding meets the “significant impact” standard. In these situations, the Committee strongly encourages the executive branch to apply the standard liberally and err on the side of inclusion and engagement, treating the nonbinding as a QNI for purposes of the Case Act.

As noted above, the definition of QNI also includes any nonbinding that is the subject of a written communication from the chair or ranking member of either of the congressional foreign affairs committees to the Secretary of State. By design, a communication under this provision is not limited to a single nonbinding and does not require the chair or ranking member to specifically name or identify a nonbinding in the communication to the Secretary.

Finally, the definition of QNI includes an important carveout. At the urging of the executive branch, nonbindings that are signed, become operational, or are implemented with authorities relied upon by the Department of Defense, the U.S. Armed Forces, or any element of the intelligence community are excluded from the definition of QNI, and therefore from coverage under the amended Case Act. As with almost all legislation, section 5947 is the product of compromise: The Committee understood that this carveout was necessary in order for section 5947 to be enacted, and encourages the congressional armed services and intelligence committees to conduct oversight related to the nonbindings of those agencies.

#### V. CONCLUSION

The Committee looks forward to working with the Department of State and other executive branch agencies to ensure a smooth transition and ongoing successful implementation of the amended Case Act. At the request of the executive branch, the amendments in section 5947 do not take effect until 270 days after the date of enactment of H.R. 7776. This feature gives the executive branch ample time to prepare for and ensure full implementation of the Case Act reforms beginning on the effective date.

The Committee expects that this reform will provide a richer tapestry of information that allows for greater understanding of the use of international accords as a foreign policy tool. Greater congressional input and public insight will lead to a stronger and more sustainable foreign policy.

While an important starting point for executive branch engagement with Congress and the public, the Case Act is just that—a starting point—particularly with Congress. The State Department is required to keep the Committee fully and currently informed about its activities both so that the Committee may discharge its constitutional oversight responsibilities and as required by statute; other executive branch agencies and departments are required to provide information to the Committee upon request. Fulfilling those obligations requires the executive branch to proactively engage with the Committee at a stage well before the text of an agreement or nonbinding is signed and the amended Case Act obligations attach.

#### APPENDIX A.—COMPARISON OF KEY FEATURES OF THE CASE-ZABLOCKI ACT BEFORE AND AFTER BEING AMENDED BY SECTION 5947 OF H.R. 7776

##### COMPARISON OF KEY FEATURES OF THE CASE-ZABLOCKI ACT BEFORE AND AFTER BEING AMENDED BY SECTION 5947 OF H.R. 7776

Statutory Requirements	Case-Zablocki Act prior to enactment of Section 5947	Case-Zablocki Act as amended by Section 5947
Applies to all binding international agreements..	YES .....	YES
Applies to non-binding international arrangements..	NO .....	YES—Applies to qualifying nonbinding instruments (QNIs) (except for elements of the Intelligence community, Armed Services, and Department of Defense). QNI means those that: * Could reasonably be expected to have a significant impact on US foreign policy, or * Are the subject of a written communication from the chair or ranking member of either of the congressional foreign affairs committees to the Secretary of State.
Requires provision of text of agreements and QNIs to Congress upon conclusion of text with foreign partner..	NO—Only requirement is to submit text to Congress 60 days after entry into force..	YES—Text must be provided within one month of being finalized regardless of date for entry into force.
Requires provision to Congress of detailed explanation of executive branch legal authority to enter into agreement or QNI..	NO .....	YES—Also requires that the explanations of legal authority are made public as long as the agreement is not exempted from publication.
Requires publication of text of international agreements..	YES—within 180 days of entry into force unless applicable exception to publication in State Department regulations..	YES—shortens publication requirement to 120 days and mandates publication unless applicable statutory exception.
Requires publication of text of qualifying non-binding arrangements..	NO .....	YES—requires publication within 120 days after QNI becomes operative unless applicable statutory exception.
Requires that agencies negotiating international agreements or nonbindings provide the State Department with the information needed to satisfy congressional reporting requirements including on an ongoing basis..	NO .....	YES
Requires that each department or agency negotiating an international agreement or non-binding designate a Chief International Agreements Office with agency-wide responsibility for compliance with congressional reporting obligations..	NO .....	YES
Establishes GAO auditing mechanism to ensure compliance and identify needed improvements..	NO .....	YES—GAO audit required once every three years for first 9 years after enactment.

Statutory Requirements	Case-Zablocki Act prior to enactment of Section 5947	Case-Zablocki Act as amended by Section 5947
Requires the Secretary of State to establish a mechanism for State Department personnel who become aware or have reason to believe that the requirements of the Case Act have not been fulfilled to report such instances to the Secretary..	NO .....	YES
Authorizes funds to implement statutory requirements..	NO .....	YES—Authorizes \$1 million/year for 5 years.
Requires the Secretary of State to consult with SFRC and HFAC on implementation of the Case Act on an ongoing basis..	NO .....	YES

#### APPENDIX B.—TEXT OF SECTION 5947 OF H.R. 7776

##### SEC. 5947. ENHANCING TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS.

(a) SECTION 112B OF TITLE 1, UNITED STATES CODE.—

(1) IN GENERAL.—Section 112b of title 1, United States Code, is amended to read as follows:

“Sec. 112b. United States international agreements and non-binding instruments; transparency provisions

“(a)(1) Not less frequently than once each month, the Secretary shall provide in writing to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees the following:

“(A)(i) A list of all international agreements and qualifying non-binding instruments signed, concluded, or otherwise finalized during the prior month.

“(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i).

“(iii) A detailed description of the legal authority that, in the view of the Secretary, provides authorization for each international agreement and that, in the view of the appropriate department or agency, provides authorization for each qualifying non-binding instrument provided under clause (ii) to become operative. If multiple authorities are relied upon in relation to an international agreement, the Secretary shall cite all such authorities, and if multiple authorities are relied upon in relation to a qualifying non-binding instrument, the appropriate department or agency shall cite all such authorities. All citations to the Constitution of the United States, a treaty, or a statute shall include the specific article or section and subsection reference whenever available and, if not available, shall be as specific as possible. If the authority relied upon is or includes article II of the Constitution of the United States, the Secretary or appropriate department or agency shall explain the basis for that reliance.

“(B)(i) A list of all international agreements that entered into force and qualifying non-binding instruments that became operative for the United States or an agency of the United States during the prior month.

“(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i) if such text differs from the text of the agreement or instrument previously provided pursuant to subparagraph (A)(ii).

“(iii) A statement describing any new or amended statutory or regulatory authority anticipated to be required to fully implement each proposed international agreement and qualifying non-binding instrument included in the list described in clause (i).

“(2) The information and text required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(b)(1) Not later than 120 days after the date on which an international agreement enters into force, the Secretary shall make the text of the agreement, and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to the agreement, available to the public on the website of the Department of State.

“(2) Not less frequently than once every 120 days, the Secretary shall make the text of each qualifying non-binding instrument that became operative during the preceding 120 days, and the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to each such instrument, available to the public on the website of the Department of State.

“(3) The requirements under paragraphs (1) and (2) shall not apply to the following categories of international agreements or qualifying non-binding instruments, or to information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1) relating to such agreements or qualifying non-binding instruments:

“(A) International agreements and qualifying non-binding instruments that contain information that has been given a national security classification pursuant to Executive Order 13526 (50 U.S.C. 3161 note; relating to classified national security information) or any predecessor or successor order, or that contain any information that is otherwise exempt from public disclosure pursuant to United States law.

“(B) International agreements and qualifying non-binding instruments that address military operations, military exercises, acquisition and cross servicing, logistics support, military personnel exchange or education programs, or the provision of health care to military personnel on a reciprocal basis.

“(C) International agreements and qualifying non-binding instruments that establish the terms of grant or other similar assistance, including in-kind assistance, financed with foreign assistance funds pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or the Food for Peace Act (7 U.S.C. 1691 et seq.).

“(D) International agreements and qualifying non-binding instruments, such as project annexes and other similar instruments, for which the principal function is to establish technical details for the implementation of a specific project undertaken pursuant to another agreement or qualifying non-binding instrument that has been published in accordance with paragraph (1) or (2).

“(E) International agreements and qualifying non-binding instruments that have been separately published by a depository or other similar administrative body, except that the Secretary shall make the information described in subparagraphs (A)(iii) and (B)(iii) of subsection (a)(1), relating to such agreements or qualifying non-binding instruments, available to the public on the website of the Department of State within the timeframes required by paragraph (1) or (2).

“(c) For any international agreement or qualifying non-binding instrument for which an implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned regardless of the title of the document, is not otherwise required to be submitted to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees under subparagraphs (A)(ii) or (B)(ii) of subsection (a)(1), not later than 30 days after the date on which the Secretary receives a written communication from the Chair or Ranking Member of either of the appropriate congressional committees requesting the text of any such implementing agreements or arrangements, whether binding or non-binding, the Secretary shall submit such implementing agreements or arrangements to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees.

“(d) Any department or agency of the United States Government that enters into any international agreement or qualifying non-binding instrument on behalf of itself or the United States shall—

“(1) provide to the Secretary the text of each international agreement not later than 15 days after the date on which such agreement is signed or otherwise concluded;

“(2) provide to the Secretary the text of each qualifying non-binding instrument not later than 15 days after the date on which such instrument is concluded or otherwise becomes finalized;

“(3) provide to the Secretary a detailed description of the legal authority that provides authorization for each qualifying non-binding instrument to become operative not later than 15 days after such instrument is signed or otherwise becomes finalized; and

“(4) on an ongoing basis, provide any implementing material to the Secretary for transmittal to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees as needed to satisfy the requirements described in subsection (c).

“(e)(1) Each department or agency of the United States Government that enters into any international agreement or qualifying non-binding instrument on behalf of itself or the United States shall designate a Chief International Agreements Officer, who shall—

“(A) be selected from among employees of such department or agency;

“(B) serve concurrently as the Chief International Agreements Officer; and

“(C) subject to the authority of the head of such department or agency, have department- or agency-wide responsibility for efficient and appropriate compliance with this section.

“(2) There shall be a Chief International Agreements Officer who serves at the Department of State with the title of International Agreements Compliance Officer.

“(f) The substance of oral international agreements shall be reduced to writing for the purpose of meeting the requirements of subsections (a) and (b).

“(g) Notwithstanding any other provision of law, an international agreement may not be signed or otherwise concluded on behalf of the United States without prior consultation with the Secretary. Such consultation may encompass a class of agreements rather than a particular agreement.

“(h)(1) Not later than 3 years after the date of the enactment of this section, and not less

frequently than once every 3 years thereafter during the 9-year period beginning on the date of the enactment of this section, the Comptroller General of the United States shall conduct an audit of the compliance of the Secretary with the requirements of this section.

“(2) In any instance in which a failure by the Secretary to comply with such requirements is determined by the Comptroller General to have been due to the failure or refusal of another agency to provide information or material to the Department of State, or the failure to do so in a timely manner, the Comptroller General shall engage such other agency to determine—

“(A) the cause and scope of such failure or refusal;

“(B) the specific office or offices responsible for such failure or refusal; and

“(C) recommendations for measures to ensure compliance with statutory requirements.

“(3) The Comptroller General shall submit to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the appropriate congressional committees in writing the results of each audit required by paragraph (1).

“(4) The Comptroller General and the Secretary shall make the results of each audit required by paragraph (1) publicly available on the websites of the Government Accountability Office and the Department of State, respectively.

“(i) The President shall, through the Secretary, promulgate such rules and regulations as may be necessary to carry out this section.

“(j) It is the sense of Congress that the executive branch should not prescribe or otherwise commit to or include specific legislative text in a treaty, executive agreement, or non-binding instrument unless Congress has authorized such action.

“(k) In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations of the Senate; and

“(B) the Committee on Foreign Affairs of the House of Representatives.

“(2) The term ‘appropriate department or agency’ means the department or agency of the United States Government that negotiates and enters into a qualifying non-binding instrument on behalf of itself or the United States.

“(3) The term ‘intelligence community’ has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

“(4) The term ‘international agreement’ includes—

“(A) any treaty that requires the advice and consent of the Senate, pursuant to article II of the Constitution of the United States; and

“(B) any other international agreement to which the United States is a party and that is not subject to the advice and consent of the Senate.

“(5) The term ‘qualifying non-binding instrument’—

“(A) except as provided in subparagraph (B), means a non-binding instrument that—

“(i) is or will be under negotiation, is signed or otherwise becomes operative, or is implemented with one or more foreign governments, international organizations, or foreign entities, including non-state actors; and

“(ii) (I) could reasonably be expected to have a significant impact on the foreign policy of the United States; or

“(II) is the subject of a written communication from the Chair or Ranking Member

of either of the appropriate congressional committees to the Secretary; and

“(B) does not include any non-binding instrument that is signed or otherwise becomes operative or is implemented pursuant to the authorities relied upon by the Department of Defense, the Armed Forces of the United States, or any element of the intelligence community.

“(6) The term ‘Secretary’ means the Secretary of State.

“(7)(A) The term ‘text’ with respect to an international agreement or qualifying non-binding instrument includes—

“(i) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the international agreement or qualifying non-binding instrument; and

“(ii) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned regardless of the title of the document, that is entered into contemporaneously and in conjunction with the international agreement or qualifying non-binding instrument.

“(B) As used in subparagraph (A), the term ‘contemporaneously and in conjunction with’—

“(i) shall be construed liberally; and

“(ii) may not be interpreted to require any action to have occurred simultaneously or on the same day.

“(1) Nothing in this section may be construed—

“(1) to authorize the withholding from disclosure to the public of any record if such disclosure is required by law; or

“(2) to require the provision of any implementing agreement or arrangement, or any document of similar purpose or function regardless of its title, which was entered into by the Department of Defense, the Armed Forces of the United States, or any element of the intelligence community or any implementing material originating with the aforementioned agencies, if such implementing agreement, arrangement, document, or material was not required to be provided to the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, or the appropriate congressional committees prior to the date of the enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 1, United States Code, is amended by striking the item relating to section 112b and inserting the following:

**“112b. United States international agreements and non-binding instruments; transparency provisions.”**

(3) TECHNICAL AND CONFORMING AMENDMENT RELATING TO AUTHORITIES OF THE SECRETARY OF STATE.—Section 317(h)(2) of the Homeland Security Act of 2002 (6 U.S.C. 195c(h)(2)) is amended by striking “Section 112b(c)” and inserting “Section 112b(g)”.

(4) MECHANISM FOR REPORTING.—Not later than 270 days after the date of the enactment of this Act, the Secretary of State shall establish a mechanism for personnel of the Department of State who become aware or who have reason to believe that the requirements under section 112b of title 1, United States Code, as amended by paragraph (1), have not been fulfilled with respect to an international agreement or qualifying non-binding instrument (as such terms are defined in such section) to report such instances to the Secretary.

(5) RULES AND REGULATIONS.—Not later than 180 days after the date of the enactment

of this Act, the President, through the Secretary of State, shall promulgate such rules and regulations as may be necessary to carry out section 112b of title 1, United States Code, as amended by paragraph (1).

(6) CONSULTATION AND BRIEFING REQUIREMENT.—

(A) CONSULTATION.—The Secretary of State shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on matters related to the implementation of this section and the amendments made by this section before and after the effective date described in subsection (c).

(B) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and once every 90 days thereafter for 1 year, the Secretary shall brief the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives regarding the status of efforts to implement this section and the amendments made by this section.

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State \$1,000,000 for each of the fiscal years 2023 through 2027 for purposes of implementing the requirements of section 112b of title 1, United States Code, as amended by paragraph (1).

(b) SECTION 112A OF TITLE 1, UNITED STATES CODE.—Section 112a of title 1, United States Code, is amended—

(1) by striking subsections (b), (c), and (d); and

(2) by inserting after subsection (a) the following:

“(b) Copies of international agreements and qualifying non-binding instruments in the possession of the Department of State, but not published, other than the agreements described in section 112b(b)(3)(A), shall be made available by the Department of State upon request.”

(c) EFFECTIVE DATE OF AMENDMENTS.—The amendments made by this section shall take effect on the date that is 270 days after the date of the enactment of this Act.

## IRAN

Mr. MENENDEZ. Mr. President,

Zan. Zendegi. Azadi.

Jin, Jiyan, Azadi.

“Women, life, freedom.”

These words of protest have echoed through Iran’s streets and across the world for 4 months—because 4 months ago, the Iranian Morality Police arrested Mahsa Amini at a highway entrance in Tehran. Their charge? Not wearing her hijab “properly.” They stopped her. They forced her into their van. They beat this 22-year-old woman until she was brain dead. And when word of her death got out, the chanting and protests began.

I rise today to express my profound disappointment that the Senate has failed to pass S.Con. Res. 47, which commends the bravery of these Iranian protestors who have stood their ground against the Iranian regime for over 100 days—and counting. We have seen women defiantly burn their hijabs and cut off their hair in public. We have seen Iranian soccer players on the global stage at the World Cup risk everything to stand in solidarity with their

brothers and sisters back home. We have seen famous Iranian actors and actresses, singers and other popular figures, refuse to back down, even as the regime has arrested them—like Amir Nasr-Azadani, Taraneh Alidoosti, Toomaj Salehi, Mona Borzouee, Mahmoud Shariari, and so many others that I could name. We have seen ordinary Iranians of all walks of life risk imprisonment and death to gather in squares and march through the streets to confront the misogyny of this regime—too many to name here—but we must remember their names.

How has the Iranian regime responded? With tear gas, with torture, with live gunfire and death. They have killed hundreds of protestors and arrested tens of thousands more. As someone who has been closely following the Iranian regime for over three decades since my time as a Representative in the House, their actions don’t come as a surprise. We all know how brutal the Iranian regime has been both at home and abroad. We see it with Iranian drones that are killing Ukrainians. We see it in the missiles aimed at our Gulf partners and Americans in the region, in the threats to wipe Israel off the map. We see it in the assassination attempts on former U.S. officials.

For decades, the Iranian regime has repressed and tortured anyone who opposes them. They have massacred innocent political prisoners. And now—on full display across social media—we are seeing how ruthless and desperate they are to keep their grip on power. The only difference between their violent actions in the past and those unfolding this year is that, despite the internet shutdowns, today, the world is watching the events unfold in real time.

According to the organization Iranian Human Rights, the regime has killed over 600 people, including dozens of minors, and detained at least 18,500 people since protests began in September. Eighteen thousand—that is about the same as the population of Weehawken, NJ. In less than 1 week, the Iranian regime hanged two protestors without due process after sham trials alleged they “waged war against God.” Majidreza Rhanavard and Mohsen Shekari, they both were 23. The regime has sentenced at least 11 others to death, the majority of them in their 20s. Reports suggest at least 30 others are facing sham charges that could carry the death penalty as well.

The world sees clearly the depravity of this regime. That is due to the incredible bravery of the Iranians who are speaking out. And we need to stand shoulder to shoulder with them because, contrary to what some may say, it is not American meddling in internal Iranian politics to support the Iranian protestors. It is not American meddling when we raise up Iranian voices. These are voices coming from those inside Iran who are risking everything to pursue their basic human rights, when they know they are putting it all on

the line. They know the nature of the regime they confront. And they go out into the streets anyway. They do it today, even as the regime shuts down internet access inside the country, so the world cannot see. But the United States and the international community cannot be silent in the face of their courage. We cannot look away.

Speaking up when we see the spilling of protesters' blood is the very least we must do. And that is why I rise today to express deep disappointment that my colleagues did not join me in passing S. Con. Res. 47. The resolution calls on the international community and the private sector to look for every opportunity to support the protesters. It calls for cooperation to hold the regime accountable as it represses, detains, and murders its citizens. This resolution is not controversial. Indeed, it is the minimum message that the U.S. Congress should be sending.

But we all need to do more. That is why I introduced this resolution to amplify the voices of Iranian protesters around the world using social media and other technologies, as well as American surrogate networks. It is why I think the United States needs to be raising this issue in every international forum—as we have successfully done in the UN Human Rights Council and the UN Commission on the Status of Women.

But we should not stop there. We should be using the tools we have to help circumvent the regime's efforts to jam communications of its own people. And we should invoke the Global Magnitsky Human Rights Accountability Act and other provisions against those who are perpetrating these heinous acts.

No one should underestimate the deep and real grievances of Iranian protesters. Their chants against the Iranian regime reflect decades of pent-up frustration. That sense of desperate longing for the kinds of things many of us take for granted comes through in the viral protest song "Baraye" by Shervin Hajipour, a musician that the Iranian regime also has detained. The Iranian protesters' demands for justice and fundamental rights are inspirational, especially in the face of the Iranian regime's response.

All they want is to live life in peace and prosperity. So let's keep standing shoulder to shoulder with the protesters as they stand up to the regime's human rights violations and violence. Let's help them keep fighting against the senseless repression of women and girls. Let's keep the world's eyes on Tehran's ruthlessness.

And remember the lyrics of Baraye: Women. Life. Freedom.

Because if we do, we not only honor the memory of Mahsa Amini and every Iranian yearning for freedom and justice, we honor our own democratic values and principles which we all hold so dear.

We have not done that today. This is no time for hesitation or equivocation.

I urge my colleagues to join me in ensuring quick passage of similar legislation in the new congressional session.

#### TRIBUTE TO RETIRING SENATORS

Mr. REED. Mr. President, as the 117th Congress winds down, I would like to offer some reflections on some of our departing colleagues: ROY BLUNT, RICHARD BURR, ROB PORTMAN, BEN SASSE, RICHARD SHELBY, and PATRICK TOOMEY. Too often, the Senate is viewed through a partisan lens, but the truth is that we all work together to serve the American people. We all swore the same oath to uphold and defend the Constitution. Although we may have differing views, we certainly have common values.

It has been my honor to serve with these outstanding senators, as well as my good friends, Senator JIM INHOFE and Senator PATRICK LEAHY, whose service I spoke about earlier.

#### TRIBUTE TO ROY BLUNT

ROY BLUNT knows how to get things done. Because of his efforts as the top Republican on the Appropriations Subcommittee on Labor, Health, and Human Services, and Education, we have been able to make extraordinary investments in healthcare research at the National Institutes of Health and the Centers for Disease Control. I am grateful for the role he has played in helping to raise funding for key programs like the Pell grant, adult education, the Library Services and Technology Act, and the Childhood Cancer STAR Act. Additionally, I have had the privilege of teaming up with Senator BLUNT for many years on legislation to increase our healthcare workforce with the Building a Health Care Workforce for the Future Act, which would help incentivize people to go into the primary care field.

He has been a champion for children. We have worked together on the Ensuring Children's Access to Specialty Care Act, to improve access to pediatric subspecialists, including children's mental health workers.

I greatly admire his advocacy and success when it comes to strengthening mental health services and access to care. That was reflected in the nationwide expansion of the Certified Community Behavioral Health Clinics program, which he worked so hard to accomplish.

Finally, as the chairman and ranking member of the Senate Committee on Rules, Senator BLUNT has worked to safeguard the Senate community, and in partnership with Senator KLOBUCHAR, he has worked to craft the bipartisan Electoral Count Act to eliminate any doubts about the process for tabulating electoral votes in Congress. This legislation will help eliminate the perceived ambiguities in current law that President Trump sought to exploit on January 6, 2021. And it is yet another example of Senator BLUNT's principled, bipartisan leadership.

We will miss him in the Senate and wish his wife Abigail and their children and grandchildren all the best.

#### TRIBUTE TO RICHARD BURR

I thought I drove the most beat up car in the Senate until I saw Senator BURR's 1973 Volkswagen Thing, which I can't believe didn't fully retire before he did.

As a Member of the House and the Senate, RICHARD BURR has become an expert on healthcare policy, helping shepherd countless public health and research bills into law. This includes important reauthorizations of the National Institutes of Health and the Food and Drug Administration. I have appreciated his help in clearing important legislation I have introduced, including measures to address childhood cancer, mental health, and suicide prevention.

In the Senate, Senator BURR became an ardent and outspoken leader in preserving our public lands, parks, refuges, and recreational areas. His quest to permanently reauthorize and fund the Land and Water Conservation Fund—LWCF—ultimately led to the passage of the Great American Outdoors Act, which permanently funds the LWCF at \$900 million per year and provides dedicated funding to address maintenance backlogs at our major land management agencies. This was a huge accomplishment that will benefit future generations of Americans.

Finally, as the chairman of the Senate Intelligence Committee, Senator BURR was unflappable and even-handed in investigating and assessing the threats against this country posed by Russia and other malicious actors.

After a career of landmark legislative achievements, I wish RICHARD well as he drives his signature Volkswagen Thing back home to North Carolina.

#### TRIBUTE TO ROB PORTMAN

Senator ROB PORTMAN is one of the most prolific public servants in the Republican party, serving in the Senate, the House, and senior posts as the Director of the Office of Management and Budget and as the U.S. Trade Representative. He certainly has had a varied and distinguished career.

Early in his Senate tenure, as the U.S. economy struggled in the wake of the Great Recession, Senator PORTMAN and I teamed up to try to extend enhanced unemployment benefits for the millions of Americans who had been forced out of work. We made great progress in the Senate, bringing together a core group of 10 Senators to shape a package of assistance. While that package passed the Senate with a strong bipartisan vote, we could not overcome opposition in the House. Nonetheless, that pattern of working with bipartisan groups of like-minded Senators became the hallmark of Senator PORTMAN's legislative career, paying off in this Congress with the enactment of the Bipartisan Infrastructure Law, the Bipartisan Safer Communities Act, and the Respect for Marriage Act.

On issues like addiction treatment, retirement security, and marriage equality, he became the maestro of orchestrating bipartisan agreement.

Senator PORTMAN has also become a leading voice in supporting U.S. efforts to assist Ukraine, helping to ensure that we bring the resources that President Zelenskyy and the Ukrainian people need in order to secure their freedom.

While Senator PORTMAN will be leaving this Chamber, I expect he will remain engaged in policy debates and serving the community. And I hope that his bipartisan leadership and efforts to bring people together to find common ground will endure.

TRIBUTE TO RICHARD C. SHELBY

RICHARD SHELBY has been at the center of addressing some of the most consequential events that have faced the country during his tenure. He was the top Republican on the Select Committee on Intelligence in the immediate aftermath of the attacks of September 11, 2001. He served as the chairman and later ranking member of the Senate Banking Committee during the Wall Street financial collapse and Great Recession. And as chair and vice chair of the Appropriations Committee, he helped guide us through the challenges of the Budget Control Act and the COVID-19 pandemic.

Always faithful to his conservative views, RICHARD has never been a partisan firebrand. He has been a person committed to getting things done on behalf of all Americans and particularly the people of Alabama. When I was ranking member of the Banking Subcommittee on Housing, Transportation, and Community Development, I was privileged to work closely with Chairman SHELBY to reauthorize our Nation's transit programs under the SAFETEA Act. In the midst of the Great Recession, we worked together on the Banking Committee to pass the Housing and Economic Recovery Act, which helped homeowners with subprime mortgages avoid foreclosure. Important for today's supply constrained housing market, that law created the Housing Trust Fund to increase and preserve the supply of housing for people with the lowest incomes, including families experiencing homelessness.

And during his tenure at the top of the Appropriations Committee and the Subcommittee on Defense, RICHARD has worked with Chairman LEAHY and Chairwoman Barbara Mikulski to fund our national defense, invest wisely in public infrastructure, and address the challenges of the COVID-19 pandemic. It is fitting that Senator SHELBY, working with Senator LEAHY, is capping his career by passing an omnibus appropriations bill, which bears the mark of his work.

Finally, let me add this, RICHARD, in a very understated way, has been a true champion in promoting women to positions of authority in the Senate, including naming the first woman to

serve as staff director of the Senate Appropriations Committee. And it is fitting now that his former chief of staff, Senator-elect Katie Britt, will be his successor in the Senate.

In wishing him well in his retirement, I also want to pay tribute to his wife Annette, who has been a partner in his service to the country.

TRIBUTE TO BEN SASSE

During his tenure in the Senate, BEN SASSE has been a leader in addressing the threat of cyber attacks. With my House colleague, Congressman JIM LANGEVIN, Senator SASSE worked to create the Cybersecurity Solarium Commission in 2019. The goal of the commission was to develop a strategic approach to defending the United States against cyber attacks of significant consequences. As a member of the commission, Senator SASSE helped craft a thoughtful report and important legislative recommendations that will guide our policy on cybersecurity for years to come.

TRIBUTE TO PATRICK J. TOOMEY

Most States have two Senators, but for the last 12 years, there have been three Rhode Islanders serving in the Senate: Senator WHITEHOUSE, myself, and Senator PAT TOOMEY—Republican from East Providence.

Growing up in a large working-class family with parents of Irish and Portuguese ancestry, Senator TOOMEY's background is familiar and shared by many Rhode Islanders, but his success has been uncommon and evident almost from the start. In fact, Senator TOOMEY and I went to the same high school—the legendary LaSalle Academy. We were a few years—actually several years—apart. I was a good student. PAT was the valedictorian. He went on to Harvard and Wall Street and served in the House before coming to the Senate.

As a member of the Senate Banking Committee and eventually serving as the top Republican on the panel, he was well-versed and well-prepared to debate the issues. As we worked to craft the CARES Act and other COVID-19 pandemic legislation, PAT was rigorous and relentless in asking tough questions as we worked to develop this legislation to keep the economy moving.

Closer to home and his Portuguese roots, PAT was a champion for improving U.S. relations with Portugal. Working with my colleagues SHELDON WHITEHOUSE and DAVID CICILLINE, he pushed for the passage of the AMIGOS Act—a bill to improve trade and investment ties between the U.S. and Portugal. I am pleased that thanks to PAT's efforts we were able to include this legislation in this year's National Defense Authorization Act.

With PAT's retirement, Rhode Island will have to make do with just two Senators, but I hope that we will continue to see him and his wife Kris and their children from time to time both in Washington and in the Ocean State.

Again I want to thank these extraordinary colleagues for their hard work

over the years and for their service to the American people and the people of their States.

#### TRIBUTE TO DR. WILLIAM FINLAYSON

Ms. BALDWIN. Mr. President, I rise today to recognize the exceptional career and life of Dr. William Finlayson. Dr. Finlayson is a pillar of the Milwaukee Black Community and has left an indelible mark on so many families in Wisconsin's largest city.

Dr. Finlayson was born in 1924 in Manatee, FL. From a young age, he studied and excelled at school, and at age 16 he started his collegiate career at Florida A&M. At age 19, Finlayson entered the U.S. Army and served as a first lieutenant from 1943 through 1946. During his time in the U.S. Army, he taught illiterate Black soldiers how to read, receiving a promotion to second lieutenant due to his work. He then served in the Army Reserves between 1946 to 1953.

While serving in the Reserves, Finlayson moved to Atlanta to attend Morehouse College. It was during this time that he became classmates and fraternity brothers with the late Martin Luther King, Jr. Finlayson graduated from Morehouse in 1948 with his B.S. and then attended Meharry Medical College in 1953.

After graduating from medical school, Dr. Finlayson arrived to the city of Milwaukee in 1958, where segregation was making it difficult for Black physicians to get hired by the city's best hospitals. Ever determined, Dr. Finlayson founded his own private practice, along with Dr. Walter White, Dr. Randall Pollard, Dr. George Hillard, and Dr. Gerald Poindexter. He was eventually admitted as the first Black doctor at St. Joseph's Hospital. He built a successful practice, with people often sitting on the steps outside of his office just to see him.

However, his passion for helping the Black community did not stop there. Dr. Finlayson participated in fair housing marches led by Alderwoman Vel Phillips and Father James Groppi. During the civil rights era, it was Dr. Finlayson who was instrumental in bringing MLK Jr. to the city of Milwaukee to speak.

Dr. Finlayson was a champion for financial literacy, cofounding the first Black-owned bank in the city, North Milwaukee State Bank, wanting to offer full-service banking to underserved communities. He also founded the W.E.B. Du Bois Club, educating high school students with the financial skills they needed to succeed while preserving Black history.

In his life, Dr. Finlayson delivered over 10,000 babies, served as president of the Cream City Medical Society, Milwaukee Gynecological Society, and his local YMCA. He was a house delegate to the Wisconsin Medical Society, teaching at both the Medical College of Wisconsin and the University of Wisconsin Medical School. He served as



vice president of the United Way of Greater Milwaukee and Waukesha County and continues to be a member of the Urban League, as well as a lifetime member of the NAACP.

Dr. Finlayson is truly a Milwaukee trailblazer, consistently fighting for equality in the State of Wisconsin. Recently, the Milwaukee road that was formerly North 5th Street was renamed Dr. William Finlayson Street in his honor. At 98 years old, Dr. Finlayson continues to have a tremendous impact on so many families in Milwaukee. His legacy and advice will live on due to the insurmountable barriers that he set out to shatter. His advice for the younger generations consists of, "I think the key is learning. Learn as much as you can, do as much as you can." I am pleased to join others in recognizing Dr. Finlayson's success and contributions to the people of Milwaukee, our State, and our Nation.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO HARVEY LEWIS STEIN

• Mr. CARDIN. Mr. President, I would like to take this opportunity to thank and congratulate a constituent of mine, Annapolis resident Harvey Lewis Stein, whose inspiration, vision, and perseverance were singularly responsible for construction of the Commodore Uriah P. Levy Center and Jewish Chapel at the U.S. Naval Academy. The facility is named for Levy (1792–1862), the first Jewish commodore in the U.S. Navy who was famous for refusing to flog his men, choosing to lead through inspiration, not intimidation. The Levy Center is centrally located between Mitscher Hall, where midshipmen eat together three times a day, and Bancroft Hall, where all 4,400 of them live. It contains a 410-seat synagogue, a kosher kitchen, a fellowship hall, a character learning center, classrooms, and offices for the brigade's social director, the academic board, and the academy's honor board. It is stunningly beautiful, designed by internationally renowned architect Joseph A. Boggs.

When the U.S. Naval Academy was founded in 1845, all midshipmen were required to attend Christian worship services. It was not until 1938 that the academy allowed Jewish midshipmen to attend a local synagogue—Congregation Kneset—on Sunday to worship their own faith. In 1981, the academy opened an All-Faith Chapel, which provided worship space for Christians and Jews alike. This chapel included an Ark, a Torah reading table, and storage for prayer books and other religious articles. Catholic midshipmen used this chapel to celebrate daily Mass. While this chapel was a great improvement over the other spaces offered for Jewish worship, it too presented problems, particularly with regard to seating. It often proved too small for services

celebrating major holidays and life-cycle events.

Still, the Jewish program grew, and a full-time Jewish chaplain joined the academy's complement of chaplains in 1986. The need for a dedicated Jewish chapel was not just based on space constraints, however. There was a need to show the public, including the Navy, that Jews do serve in the military and have done so in every American conflict since pre-Colonial days. In addition, Jewish middies needed the resources to enhance their identity, both religiously and culturally.

Supporters of a Jewish chapel created the Friends of the Jewish Chapel—FOJC—to provide programs for Jewish midshipmen and support the needs of the rabbi. CDR Howard Pinskey, SC, USN (Ret), a 1962 academy graduate, became the FOJC's first president. He navigated the organization through its earliest days of development and became the cheerleader who bridged the divide between the birth of a fledgling Jewish community and the opportunities that awaited its growth.

Many people worked for many years on the project, but one person had the skill and tenacity to see it through to completion. In 1994, Harvey Stein envisioned a dedicated house for Jewish worship, as well as a social hall for sharing communal dinners, holding classes, enhancing Jewish culture, examining ethics, and bringing together students of all faiths to congregate, study, engage, and socialize.

To proceed, Mr. Stein had to bring the Naval Academy and the Department of the Navy on board, find a building site, design the building, and raise the necessary funding. Mr. Stein was part of the group that successfully appealed to the academy's administration and the Secretary of the Navy, obtaining a letter of intent and then a letter of commitment. Then, Mr. Stein became instrumental in providing the FOJC with its necessary 501 (c) (3) status which allowed FOJC to begin the fund raising process.

Mr. Stein, a successful entrepreneur who founded the home decor and merchandise firm HLD, is a team-builder who skillfully cultivated an effective group of volunteers and professional men and women to champion the Jewish chapel's cause. Through his tenacity, he found ways to navigate the hurdles that seemed to block the way to success. He cultivated relationships with military personnel and civilians who knew how to weave their way through the labyrinth of bureaucracy to a successful end. He encouraged good work by setting an example through his own energy and work ethic. He opened his heart, his office, and his home to the project. Most importantly, he trusted his team, and in return, more than 3,000 donors from three countries lent their financial, legal, spiritual, military, and political support to the Commodore Uriah P. Levy Center and Jewish Chapel. The Levy Center cost \$8.0 million to design,

build, and furnish. Military construction funds totaled \$1.8 million; private donations the FOJC raised covered the balance. Today, this magnificent building stands as a mitzvah and a testament to one man's resolve that failure was never an option.●

#### REMEMBERING JOHN P. CONNELLY

• Ms. MURKOWSKI. Mr. President, I rise today to commemorate the life and career of John P. Connelly, longtime National Fisheries Institute president and CEO. John succumbed to cancer on November 20, but not before leaving a profound mark on the commercial seafood industry that is so dear to us in Alaska.

Following service in the U.S. Navy—including Active-Duty service as an officer in the Navy's destroyer fleet—John joined the American Chemistry Council, where he rose to become ACC's corporate secretary. In 2003, he was named president and CEO of the National Fisheries Institute. In nearly two decades of leadership at NFI, he joined with many of us in the Senate in tackling the priority issues confronting American seafood producers and the fisheries they rely on—from vital legislation such as the 2007 Magnuson-Stevens reauthorization legislation and the 2011 Food Safety Modernization Act, to ensuring that Federal nutrition guidance reflects the science regarding the value of seafood consumption and utilizing trade agreements to open key markets to seafood exporters from Alaska and elsewhere. On his watch, commercial seafood producers made sustainability the core of their operations. On issue after issue, he brought disparate players together in what often can be a fractious industry, driving concrete progress where others' efforts had stalled.

While at NFI, John Connelly held leadership roles with the NOAA Marine Fisheries Advisory Committee; the International Seafood Sustainability Foundation; the International Coalition of Fisheries Associations; the "FISH" for Crewmembers social responsibility standard; the Seafood Industry Research Fund; and many others. In October 2022, the Global Seafood Alliance awarded him the Wallace R. Stevens Lifetime Achievement Award in recognition of his "leadership, integrity, and commitment to responsibility."

As is so often the case, however, it was not the plaques on the wall that made John Connelly effective. He was known to many in the seafood world, including to my staff and me, as a warm, engaging person who always wanted to learn about the people he met before delving into business. John loved sharing and swapping stories—the funnier the better—and as any Alaskan will tell you, fishing and storytelling go hand in hand. What a wonderful match between a leader and the industry he chose to serve.

To paraphrase Lincoln, I know nothing I say on the floor today can beguile



John's wife of 36 years, Margaret, or their four children, from the grief they are more than entitled to feel at the untimely loss of a dear husband and father. I do hope, nevertheless, that this brief tribute will leave the Connelly family—and all those who benefited from his service to the seafood industry—with the solace of knowing how valuable that service was to our Nation. John Connelly will be missed by many in my State and by so many in the industry he loved.●

#### MESSAGES FROM THE HOUSE

At 10:44 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 450. An act to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

S. 2333. An act to amend chapter 2205 of title 36, United States Code, to ensure equal treatment of athletes, and for other purposes.

S. 2834. An act to amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program.

S. 3168. An act to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to modify the enforceability date for certain provisions, and for other purposes.

S. 3308. An act to authorize the Colorado River Indian Tribes to enter into lease or exchange agreements and storage agreements relating to water of the Colorado River allocated to the Colorado River Indian Tribes, and for other purposes.

S. 4411. An act to designate the facility of the United States Postal Service located at 5302 Galveston Road in Houston, Texas, as the "Vanessa Guillen Post Office Building".

S. 4926. An act to amend chapter 33 of title 28, United States Code, to require appropriate use of multidisciplinary teams for investigations of child sexual exploitation or abuse, the production of child sexual abuse material, or child trafficking conducted by the Federal Bureau of Investigation.

S. 5016. An act to designate the medical center of the Department of Veterans Affairs located in Anchorage, Alaska, as the "Colonel Mary Louise Rasmuson Campus of the Alaska VA Healthcare System", and for other purposes.

S. 5066. An act to designate Mount Young in the State of Alaska, and for other purposes.

S. 5168. An act to amend the Immigration and Nationality Act to include aliens passing in transit through the United States to board a vessel on which the alien will perform ship-to-ship liquid cargo transfer operations within a class of nonimmigrant aliens, and for other purposes.

S. 5329. An act to amend the Bill Emerson Good Samaritan Food Donation Act to improve the program, and for other purposes.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 1917) to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes.

#### ENROLLED BILLS SIGNED

At 1:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, an-

nounced that the Speaker had signed the following enrolled bills:

S. 7. An act to make a technical amendment to the Violence Against Women Act of 1994, and for other purposes.

S. 558. An act to establish a national integrated flood information system within the National Oceanic and Atmospheric Administration, and for other purposes.

S. 789. An act to repeal certain obsolete laws relating to Indians.

S. 1466. An act to authorize the Director of the United States Geological Survey to establish a regional program to assess, monitor, and benefit the hydrology of saline lakes in the Great Basin and the migratory birds and other wildlife dependent on those habitats, and for other purposes.

S. 1687. An act to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

S. 2607. An act to award a Congressional Gold Medal to the former hostages of the Iran Hostage Crisis of 1979–1981, highlighting their resilience throughout the unprecedented ordeal that they lived through and the national unity it produced, marking 4 decades since their 444 days in captivity, and recognizing their sacrifice to the United States.

S. 2899. An act to require the Director of the Bureau of Prisons to address deficiencies and make necessary upgrades to the security camera and radio systems of the Bureau of Prisons to ensure the health and safety of employees and inmates.

S. 2991. An act to establish a Department of Homeland Security Center for Countering Human Trafficking, and for other purposes.

S. 3846. An act to reauthorize the Justice and Mental Health Collaboration Program, and for other purposes.

S. 3905. An act to prevent organizational conflicts of interest in Federal acquisition, and for other purposes.

S. 4003. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises.

S. 5230. An act to increase accessibility to the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, and for other purposes.

H.R. 441. An act to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and the conveyance of certain property to the Alaska Native Tribal Health Consortium located in Anchorage, Alaska, and for other purposes.

H.R. 478. An act to direct the Secretary of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes.

H.R. 681. An act for the relief of Rebecca Trimble.

H.R. 785. An act for the relief of Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso.

H.R. 2724. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide for peer support specialists for claimants who are survivors of military sexual trauma, and for other purposes.

H.R. 3285. An act to amend gendered terms in Federal law relating to the President and the President's spouse.

H.R. 4250. An act to amend the State Department Basic Authorities Act of 1956 to

provide for rewards for the arrest or conviction of certain foreign nationals who have committed genocide or war crimes, and for other purposes.

H.R. 4881. An act to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, and for other purposes.

H.R. 5943. An act to designate the outpatient clinic of the Department of Veterans Affairs in Greenville, South Carolina, as the "Lance Corporal Dana Cornell Darnell VA Clinic".

H.R. 5961. An act to make revisions in title 5, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code.

H.R. 5973. An act to reauthorize the Great Lakes Fish and Wildlife Restoration Act of 1990, and for other purposes.

H.R. 6064. An act to direct the Secretary of Veterans Affairs to seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for a review of examinations, furnished by the Secretary, to individuals who submit claims to the Secretary for compensation under chapter 11 of title 38, United States Code, for mental and physical conditions linked to military sexual trauma.

H.R. 6427. An act to amend the Red River National Wildlife Refuge Act to modify the boundary of the Red River National Wildlife Refuge, and for other purposes.

H.R. 6604. An act to amend title 38, United States Code, to improve the method by which the Secretary of Veterans Affairs determines the effects of a closure or disapproval of an educational institution on individuals who do not transfer credits from such institution.

H.R. 6961. An act to amend title 38, United States Code, to improve hearings before the Board of Veterans' Appeals regarding claims involving military sexual trauma.

H.R. 7181. An act to amend the Trafficking Victims Protection Act of 2000 to direct the Secretary of Transportation to seek to provide for the posting of contact information of the national human trafficking hotline in the restrooms of each aircraft, airport, over-the-road bus, bus station, passenger train, and passenger railroad station operating within the United States, and for other purposes.

H.R. 7299. An act to require the Secretary of Veterans Affairs to obtain an independent cybersecurity assessment of information systems of the Department of Veterans Affairs, and for other purposes.

H.R. 7335. An act to improve coordination between the Veterans Health Administration and the Veterans Benefits Administration with respect to claims for compensation arising from military sexual trauma, and for other purposes.

H.R. 7735. An act to direct the Secretary of Veterans Affairs to update the appraisal requirements for certain loans guaranteed by the Department of Veterans Affairs, and for other purposes.

H.R. 8260. An act to amend title 38, United States Code, to shorten the timeframe for designation of benefits under Department of Veterans Affairs life insurance programs, to improve the treatment of undisbursed life insurance benefits by the Department of Veterans Affairs, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker pro tempore (Mr. BEYER) had signed the following enrolled bills:

H.R. 203. An act to designate the facility of the United States Postal Service located at 4020 Broadway Street in Houston, Texas, as the “Benny C. Martinez Post Office Building”.

H.R. 1095. An act to designate the facility of the United States Postal Service located at 101 South Willowbrook Avenue in Compton, California, as the “PFC James Anderson, Jr., Post Office Building”.

H.R. 2472. An act to designate the facility of the United States Postal Service located at 82422 Cadiz Jewett Road in Cadiz, Ohio, as the “John Armor Bingham Post Office”.

H.R. 2473. An act to designate the facility of the United States Postal Service located at 275 Penn Avenue in Salem, Ohio, as the “Howard Arthur Tibbs Post Office”.

H.R. 4622. An act to designate the facility of the United States Postal Service located at 226 North Main Street in Roseville, Ohio, as the “Ronald E. Rosser Post Office”.

H.R. 4899. An act to designate the facility of the United States Postal Service located at 10 Broadway Street West, in Akeley, Minnesota, as the “Neal Kenneth Todd Post Office”.

H.R. 5271. An act to designate the facility of the United States Postal Service located at 2245 Rosa L Parks Boulevard in Nashville, Tennessee, as the “Thelma Harper Post Office Building”.

H.R. 5349. An act to designate the facility of the United States Postal Service located at 1550 State Road S-38-211 in Orangeburg, South Carolina, as the “J.I. Washington Post Office Building”.

H.R. 5650. An act to designate the facility of the United States Postal Service located at 16605 East Avenue of the Fountains in Fountain Hills, Arizona, as the “Dr. C.T. Wright Post Office Building”.

H.R. 5659. An act to designate the facility of the United States Postal Service located at 1961 North C Street in Oxnard, California, as the “John R. Hatcher III Post Office Building”.

H.R. 5794. An act to designate the facility of the United States Postal Service located at 850 Walnut Street in McKeesport, Pennsylvania, as the “First Sergeant Leonard A. Funk, Jr. Post Office Building”.

H.R. 5865. An act to designate the facility of the United States Postal Service located at 4110 Bluebonnet Drive in Stafford, Texas, as the “Leonard Scarcella Post Office Building”.

H.R. 5900. An act to designate the facility of the United States Postal Service located at 2016 East 1st Street in Los Angeles, California, as the “Marine Corps Reserve PVT Jacob Cruz Post Office”.

H.R. 5952. An act to designate the facility of the United States Postal Service located at 123 East Main Street, in Vergas, Minnesota, as the “Jon Glawe Post Office”.

H.R. 6042. An act to designate the facility of the United States Postal Service located at 213 William Hilton Parkway in Hilton Head Island, South Carolina, as the “Caesar H. Wright Jr. Post Office Building”.

H.R. 6080. An act to designate the facility of the United States Postal Service located at 5420 Kavanaugh Boulevard in Little Rock, Arkansas, as the “Ronald A. Robinson Post Office”.

H.R. 6218. An act to designate the facility of the United States Postal Service located at 317 Blattner Drive in Avon, Minnesota, as the “W.O.C. Kort Miller Plantenberg Post Office”.

H.R. 6220. An act to designate the facility of the United States Postal Service located at 100 3rd Avenue Northwest in Perham, Minnesota, as the “Charles P. Nord Post Office”.

H.R. 6221. An act to designate the facility of the United States Postal Service located at 155 Main Avenue West in Winsted, Min-

nesota, as the “James A. Rogers Jr. Post Office”.

H.R. 6267. An act to designate the facility of the United States Postal Service located at 15 Chestnut Street in Suffern, New York, as the “Sergeant Gerald T. ‘Jerry’ Donnellan Post Office”.

H.R. 6386. An act to designate the facility of the United States Postal Service located at 450 West Schaumburg Road in Schaumburg, Illinois, as the “Veterans of Iraq and Afghanistan Memorial Post Office Building”.

H.R. 6630. An act to designate the facility of the United States Postal Service located at 1400 N Kraemer Blvd. in Placentia, California, as the “PFC Jang Ho Kim Post Office Building”.

H.R. 6917. An act to designate the facility of the United States Postal Service located at 301 East Congress Parkway in Crystal Lake, Illinois, as the “Ryan J. Cummings Post Office Building”.

H.R. 7514. An act to designate the facility of the United States Postal Service located at 345 South Main Street in Butler, Pennsylvania, as the “Andrew Gomer Williams Post Office Building”.

H.R. 7518. An act to designate the facility of the United States Postal Service located at 23200 John R Road in Hazel Park, Michigan, as the “Roy E. Dickens Post Office”.

H.R. 7519. An act to designate the facility of the United States Postal Service located at 2050 South Boulevard in Bloomfield Township, Michigan, as the “Dr. Ezra S. Parke Post Office Building”.

H.R. 7638. An act to designate the facility of the United States Postal Service located at 6000 South Florida Avenue in Lakeland, Florida, as the “U.S. Marine Corporal Ronald R. Payne Jr. Post Office”.

H.R. 8025. An act to designate the facility of the United States Postal Service located at 100 South 1st Street in Minneapolis, Minnesota, as the “Martin Olav Sabo Post Office”.

H.R. 8026. An act to designate the facility of the United States Postal Service located at 825 West 65th Street in Minneapolis, Minnesota, as the “Charles W. Lindberg Post Office”.

H.R. 8203. An act to designate the facility of the United States Postal Service located at 651 Business Interstate Highway 35 North Suite 420 in New Braunfels, Texas, as the “Bob Krueger Post Office”.

H.R. 8226. An act to designate the facility of the United States Postal Service located at 236 Concord Exchange North in South Saint Paul, Minnesota, as the “Officer Leo Pavlak Post Office Building”.

H.R. 9308. An act to designate the facility of the United States Postal Service located at 6401 El Cajon Boulevard in San Diego, California, as the “Susan A. Davis Post Office”.

The bills were subsequently signed by the President pro tempore (Mr. LEAHY).

#### ENROLLED BILL SIGNED

At 4:19 p.m., a message from the House of Representatives, delivered by Mrs. Allie, one of its reading clerks, announced that the Speaker had signed the following bill:

H.R. 7776. An act to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

At 5:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 989. An act to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act.

S. 1294. An act to authorize the imposition of sanctions with respect to foreign persons that have engaged in significant theft of trade secrets of United States persons, and for other purposes.

S. 1402. An act to amend the Native American Languages Act to ensure the survival and continuing vitality of Native American languages, and for other purposes.

S. 1541. An act to amend the Communications Act of 1934 to require the Federal Communications Commission to ensure just and reasonable charges for telephone and advanced communications services in correctional and detention facilities.

S. 1942. An act to standardize the designation of National Heritage Areas, and for other purposes.

S. 3405. An act to require the Federal Communications Commission to issue a rule providing that certain low power television stations may be accorded primary status as Class A television licensees, and for other purposes.

S. 3519. An act to amend the National Trails System Act to designate the Butterfield Overland National Historic Trail, and for other purposes.

S. 3773. An act to authorize leases of up to 99 years for land held in trust for the Confederated Tribes of the Chehalis Reservation.

S. 3946. An act to reauthorize the Trafficking Victims Protection Act of 2017, and for other purposes.

S. 3949. An act to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

S. 4104. An act to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, and for other purposes.

S. 4120. An act to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 4240. An act to amend section 2441 of title 18, United States Code, to broaden the scope of individuals subject to prosecution for war crimes.

S. 4439. An act to take certain Federal land located in Siskiyou County, California, and Humboldt County, California, into trust for the benefit of the Karuk Tribe, and for other purposes.

S. 4949. An act to amend title 38, United States Code, to address green burial sections in national cemeteries, and for other purposes.

S. 4978. An act to amend the Public Health Service Act to reauthorize the State offices of rural health program.

S. 5087. An act to amend the Not Invisible Act of 2019 to extend, and provide additional support for, the activities of the Department of the Interior and the Department of Justice Joint Commission on Reducing Violent Crime Against Indians, and for other purposes.

S. 5328. An act to amend the Farm Security and Rural Investment Act of 2002 to extend terminal lakes assistance.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 9640. An act to amend the Internal Revenue Code of 1986 to provide for examination and disclosure with respect to Presidential income tax returns.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 7939) to make permanent certain educational assistance benefits under the laws administered by the Secretary of Veterans Affairs in the case of changes to courses of education by reason of emergency situations, and for other purposes.

At 5:43 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1155. An act ensuring that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Indian Affairs:

Report to accompany S. 3308, a bill to authorize the Colorado River Indian Tribes to enter into lease or exchange agreements and storage agreements relating to water of the Colorado River allocated to the Colorado River Indian Tribes, and for other purposes (Rept. No. 117-286).

Report to accompany S. 4104, a bill to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, and for other purposes (Rept. No. 117-287).

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND:

S. 5354. A bill to assess, prevent, prepare for, respond to, recover, and mitigate biological threats by establishing the One Health Security Council; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself and Mr. RUBIO):

S. 5355. A bill making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2023, and for other purposes; read twice.

By Mr. CASEY (for himself, Mr. BROWN, and Mr. MANCHIN):

S. 5356. A bill to improve compliance with mine safety and health laws, empower miners to raise safety concerns, and prevent future mine tragedies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mrs. FEINSTEIN, Ms. ROSEN, Mr. KELLY, Ms. HASSAN, and Mr. WARNOCK):

S. 5357. A bill to provide compensation for United States victims of Libyan state-sponsored terrorism, and for other purposes; considered and passed.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY:

S. Con. Res. 51. A concurrent resolution providing for a correction in the enrollment of H.R. 2617; considered and agreed to.

By Mr. LEAHY:

S. Con. Res. 52. A concurrent resolution providing for a correction in the enrollment of H.R. 4373; considered and agreed to.

### ADDITIONAL COSPONSORS

S. 584

At the request of Mrs. SHAHEEN, her name was added as a cosponsor of S. 584, a bill to amend title XVIII of the Social Security Act to provide coverage of medical nutrition therapy services for individuals with eating disorders under the Medicare program.

S. 1486

At the request of Mr. CASEY, the names of the Senator from Arizona (Ms. SINEMA), the Senator from Ohio (Mr. BROWN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Mr. CARDIN), the Senator from Maine (Mr. KING), the Senator from Delaware (Mr. COONS), the Senator from Georgia (Mr. OSOFF), the Senator from New Hampshire (Ms. HASSAN), the Senator from Georgia (Mr. WARNOCK), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Hawaii (Ms. HIRONO), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Illinois (Mr. DURBIN), the Senator from Michigan (Mr. PETERS), the Senator from Rhode Island (Mr. REED), the Senator from California (Mr. PADILLA), the Senator from Oregon (Mr. WYDEN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Massachusetts (Mr. MARKEY), the Senator from Montana (Mr. TESTER), the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from Massachusetts (Ms. WARREN), the Senator from New York (Mr. SCHUMER) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1486, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 3659

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 3659, a bill to exempt premium pay received by semi-retired workers during the COVID-19 pandemic from the Social Security retirement earnings test.

S. 3686

At the request of Mrs. SHAHEEN, her name was added as a cosponsor of S.

3686, a bill to amend the Public Health Service Act to provide education and training on eating disorders for health care providers and communities, and for other purposes.

S. 4979

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 4979, a bill to authorize grants for emotional support services for incarcerated victims of sexual abuse, and for other purposes.

S. RES. 875

At the request of Mr. BROWN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. Res. 875, a resolution declaring racism a public health crisis.

S. RES. 877

At the request of Mr. BROWN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Illinois (Mr. DURBIN), the Senator from New Jersey (Mr. BOOKER) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. Res. 877, a resolution designating the week of September 18 through September 24, 2022, as "Community School Coordinators Appreciation Week".

### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 51—PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 2617

Mr. LEAHY submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 51

*Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of H.R. 2617, the Clerk of the House of Representatives shall make the following corrections:*

(1) Amend the title so as to read: "Making consolidated appropriations for the fiscal year ending September 30, 2023, and for providing emergency assistance for the situation in Ukraine, and for other purposes."

(2) Strike the first section 1 immediately following the enacting clause and all that follows through the end of the first section 2, up to and including "under subsection (b)(5) for that agency".

(3) In title IV of division O, strike section 403.

(4) Strike the final section 3 and all that follows through the end.

#### SENATE CONCURRENT RESOLUTION 52—PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 4373

Mr. LEAHY submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 52

*Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of H.R. 4373, the Clerk of the House of Representatives shall amend the title so as to read: "Making further continuing appropriations for the fiscal year ending September 30, 2023, and for other purposes."*

## AMENDMENTS SUBMITTED AND PROPOSED

SA 6622. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, *supra*; which was ordered to lie on the table.

SA 6623. Mr. SCHUMER (for Mr. LEAHY) proposed an amendment to the bill H.R. 4373, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, and for other purposes.

SA 6624. Mr. SCHUMER (for Mr. WICKER) submitted an amendment intended to be proposed by Mr. SCHUMER to the bill H.R. 1082, to study the incidence of fatal and non-fatal assaults in TNC and for-hire vehicles in order to enhance safety and save lives.

SA 6625. Mr. SCHUMER (for Mr. WICKER) proposed an amendment to the bill H.R. 1082, *supra*.

SA 6626. Mr. SCHUMER (for Mr. SULLIVAN) proposed an amendment to the bill S. 4321, to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

SA 6627. Mr. SCHUMER (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) proposed an amendment to the bill S. 3428, to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes.

SA 6628. Mr. SCHUMER (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) proposed an amendment to the bill S. 3428, *supra*.

## TEXT OF AMENDMENTS

**SA 6622.** Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes; which was ordered to lie on the table; as follows:

On page 1291, line 2, strike “\$1,481,915,000” and insert “\$1,480,915,000”.

On page 1301, line 21, strike “\$3,500,000” and insert “\$4,500,000”.

On page 1301, line 23, strike the period and insert the following: “*Provided*, That amounts appropriated under this heading be used in a manner consistent with the Commission’s authorities under title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.).”.

**SA 6623.** Mr. SCHUMER (for Mr. LEAHY) proposed an amendment to the bill H.R. 4373, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Further Additional Continuing Appropriations and Extensions Act, 2023”.

### SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short Title.

Sec. 2. Table of Contents.

Sec. 3. References.

## DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2023

### DIVISION B—OTHER MATTERS

Title I—Extensions

Title II—Budgetary Effects

### SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

## DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2023

SEC. 101. The Continuing Appropriations Act, 2023 (division A of Public Law 117-180) is amended by striking the date specified in section 106(3) and inserting “December 30, 2022”.

This division may be cited as the “Further Additional Continuing Appropriations Act, 2023”.

### DIVISION B—OTHER MATTERS

#### TITLE I—EXTENSIONS

### SEC. 101. EXTENSION OF FCC AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) shall be applied by substituting “December 30, 2022” for “December 23, 2022”.

### SEC. 102. EXTENSION OF AUTHORIZATION FOR SPECIAL ASSESSMENT FOR DOMESTIC TRAFFICKING VICTIMS’ FUND.

Section 3014(a) of title 18, United States Code, shall be applied, in the matter preceding paragraph (1), by substituting “December 30, 2022” for “December 23, 2022”.

### SEC. 103. UNITED STATES PAROLE COMMISSION EXTENSION.

(a) **SHORT TITLE.**—This section may be cited as the “United States Parole Commission Further Additional Extension Act of 2022”.

(b) **AMENDMENT OF SENTENCING REFORM ACT OF 1984.**—For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98-473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to “35 years and 46 days” or “35-year and 46-day period” shall be applied as if it were a reference to “35 years and 60 days” or “35-year and 60-day period”, respectively.

(c) **EFFECTIVE DATE.**—Subsection (b) shall take effect as though enacted as part of the Further Continuing Appropriations and Extensions Act, 2023.

(d) **SUPERSEDED PROVISION.**—Section 103 of division B of the Further Continuing Appropriations and Extensions Act, 2023 shall have no force or effect.

### SEC. 104. EXTENSION OF COMMODITY FUTURES TRADING COMMISSION CUSTOMER PROTECTION FUND EXPENSES ACCOUNT.

Section 1(b) of Public Law 117-25 (135 Stat. 297) shall be applied by substituting “December 30, 2022” for “December 23, 2022” each place it appears.

### SEC. 105. EXTENSION OF MORATORIUM.

Section 424(a) of title IV of division G of Public Law 113-76 shall be applied by substituting “December 31, 2022” for “December 24, 2022”.

#### TITLE II—BUDGETARY EFFECTS

### SEC. 201. BUDGETARY EFFECTS.

(a) **STATUTORY PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this division shall not be

entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

**SA 6624.** Mr. SCHUMER (for Mr. WICKER) submitted an amendment intended to be proposed by Mr. SCHUMER to the bill H.R. 1082, to study the incidence of fatal and non-fatal assaults in TNC and for-hire vehicles in order to enhance safety and save lives; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sami’s Law”.

### SEC. 2. GAO STUDY ON INCIDENCE OF FATAL AND NON-FATAL PHYSICAL AND SEXUAL ASSAULT OF PASSENGERS, TNC DRIVERS, AND DRIVERS OF OTHER FOR-HIRE VEHICLES.

(a) **GAO REPORT.**—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, the Comptroller General of the United States shall submit to Congress a report that includes the results of a study regarding—

(1) the incidence of fatal and non-fatal physical assault and sexual assault perpetrated in the preceding 2 calendar years (starting with calendar years 2019 and 2020 for the first study)—

(A) against TNC drivers and drivers of other for-hire vehicles (including taxicabs) by passengers and riders of for-hire vehicles; and

(B) against passengers and riders by other passengers and TNC drivers or drivers of other for-hire vehicles (including taxicabs), including the incidences that are committed by individuals who are not TNC drivers or drivers of other for-hire vehicles but who pose as TNC drivers or drivers of other for-hire vehicles;

(2) the nature and specifics of any background checks conducted on prospective TNC drivers and drivers of other for-hire vehicles (including taxicabs), including any State and local laws requiring those background checks; and

(3) the safety steps taken by transportation network companies and other for-hire vehicle services (including taxicab companies) related to rider and driver safety.

(b) **SEXUAL ASSAULT DEFINED.**—In this section, the term “sexual assault” means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

**SA 6625.** Mr. SCHUMER (for Mr. WICKER) proposed an amendment to the bill H.R. 1082, to study the incidence of fatal and non-fatal assaults in TNC and for-hire vehicles in order to enhance safety and save lives; as follows:

Amend the title so as to read: "An Act to study the incidence of fatal and non-fatal assaults in TNC and for-hire vehicles in order to enhance safety and save lives."

**SA 6626.** Mr. SCHUMER (for Mr. SULLIVAN) proposed an amendment to the bill S. 4321, to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Save Our Seas 2.0 Amendments Act".

#### SEC. 2. MODIFICATIONS TO THE MARINE DEBRIS FOUNDATION.

(a) **STATUS OF FOUNDATION.**—Section 111(a) of the Save Our Seas 2.0 Act (33 U.S.C. 4211(a)) is amended, in the second sentence, by striking "organization" and inserting "corporation".

(b) **BOARD OF DIRECTORS.**—

(1) **APPOINTMENT, VACANCIES, AND REMOVAL.**—Section 112(b) of such Act (33 U.S.C. 4212(b)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by striking "and considering" and inserting "considering";

(ii) by inserting "and with the approval of the Secretary of Commerce," after "by the Board,"; and

(iii) by inserting "and such other criteria as the Under Secretary may establish" after "subsection (a)";

(B) in paragraph (3)(A), by inserting "with the approval of the Secretary of Commerce" after "the Board";

(C) in paragraph (5)—

(i) by inserting "the Administrator of the United States Agency for International Development," after "Service,"; and

(ii) by inserting "and with the approval of the Secretary of Commerce" after "EPA Administrator";

(D) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(E) by inserting after paragraph (1) the following:

"(2) **RECOMMENDATIONS OF BOARD REGARDING APPOINTMENTS.**—For appointments made under paragraph (1) other than the initial appointments, the Board shall submit to the Under Secretary recommendations on candidates for appointment."

(2) **GENERAL POWERS.**—Section 112(g) of such Act (33 U.S.C. 4212(g)) is amended—

(A) in paragraph (1)(A), by striking "officers and employees" and inserting "the initial officers and employees of the Board"; and

(B) in paragraph (2)(B)(i), by striking "chief operating officer" and inserting "chief executive officer".

(3) **CHIEF EXECUTIVE OFFICER.**—Section 112 of such Act (33 U.S.C. 4212) is amended by adding at the end the following:

"(h) **CHIEF EXECUTIVE OFFICER.**—

"(1) **APPOINTMENT; REMOVAL; REVIEW.**—The Board shall appoint and may remove and review the performance of the chief executive officer of the Board.

"(2) **POWERS.**—The chief executive officer of the Board may appoint, remove, and review the performance of any officer or employee of the Foundation."

(c) **POWERS OF FOUNDATION.**—Section 113(c)(1) of such Act (33 U.S.C. 4213(c)(1)) is amended, in the matter preceding subparagraph (A)—

(1) by inserting "nonprofit" before "corporation"; and

(2) by striking "acting as a trustee" and inserting "formed".

(d) **PRINCIPAL OFFICE.**—Section 113 of such Act (33 U.S.C. 4213) is amended by adding at the end the following:

"(g) **PRINCIPAL OFFICE.**—The Board may locate the principal office of the Foundation outside the District of Columbia and is encouraged to locate that office in a coastal State."

(e) **BEST PRACTICES.**—Section 113 of such Act (33 U.S.C. 4213), as amended by subsection (d), is further amended by adding at the end the following:

"(h) **BEST PRACTICES.**—

"(1) **TRIBAL GOVERNMENT.**—In this paragraph, the term 'Tribal government' means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation individually identified (including parenthetically) in the list published most recently as of the date of enactment of the Save Our Seas 2.0 Amendments Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

"(2) **BEST PRACTICES.**—The Foundation shall develop and implement best practices for conducting outreach to Tribal governments and Indian Tribes.

"(3) **REQUIREMENTS.**—The best practices developed under paragraph (2) shall—

"(A) include a process to support technical assistance and capacity building to improve outcomes; and

"(B) promote an awareness of programs and grants available under this Act."

(f) **USE OF FUNDS.**—Section 118 of such Act (33 U.S.C. 4218) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "and State and local government agencies" and inserting ", State and local government agencies, United States and international nongovernmental organizations, regional organizations, and foreign government entities"; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking "PROHIBITION" and inserting "LIMITATION"; and

(ii) by striking subparagraph (B) and inserting the following:

"(B) **SALARIES.**—The Foundation may use Federal funds described in subparagraph (A) to pay for salaries only during the 24-month period beginning on the date of the enactment of this Act. The Secretary shall not require reimbursement from the Foundation for any such Federal funds used to pay for such salaries."; and

(2) in subsection (b)(2), by striking "and State and local government agencies" and inserting ", State and local government agencies, United States and international nongovernmental organizations, regional organizations, and foreign government entities".

#### SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) **GRANTS, COOPERATIVE AGREEMENTS, CONTRACTS, AND OTHER AGREEMENTS.**—Section 3(d) of the Marine Debris Act (33 U.S.C. 1952(d)) is amended—

(1) in the subsection heading, by striking "AND CONTRACTS" and inserting "CONTRACTS, AND OTHER AGREEMENTS";

(2) in paragraph (1), by striking "and contracts" and inserting ", contracts, and other agreements";

(3) in paragraph (2)—

(A) in subparagraph (B)—

(i) by striking "part of the" and inserting "part of a"; and

(ii) by inserting "or (C)" after "subparagraph (A)"; and

(B) in subparagraph (C), in the matter preceding clause (i), by inserting "and except as provided in subparagraph (B)" after "subparagraph (A)"; and

(4) by adding at the end the following:

"(7) **IN-KIND CONTRIBUTIONS.**—With respect to any project carried out pursuant to a contract or other agreement entered into under paragraph (1) that is not a cooperative agreement or an agreement to provide financial assistance in the form of a grant, the Administrator may contribute on an in-kind basis the portion of the costs of the project that the Administrator determines represents the amount of benefit the National Oceanic and Atmospheric Administration derives from the project."

(b) **RECEIPT AND EXPENDITURE OF FUNDS; USE OF RESOURCES.**—Section 3 of the Marine Debris Act (33 U.S.C. 1952) is amended by adding at the end the following:

"(e) **RECEIPT AND EXPENDITURE OF FUNDS.**—In order to accomplish the purpose set forth in section 2, the Administrator, acting through the Program, may, only to the extent provided in advance in appropriations Acts, receive and expend funds made available by—

"(1) any department, agency, or instrumentality of the United States;

"(2) any State, local, or tribal government (or any political subdivision thereof);

"(3) any foreign government or international organization;

"(4) any public or private organization; or

"(5) any individual.

"(f) **USE OF RESOURCES.**—In order to accomplish the purpose set forth in section 2, the Administrator, acting through the Program, may use, with consent, with reimbursement, and subject to the availability of appropriations, the land, services, equipment, personnel, and facilities of—

"(1) any department, agency, or instrumentality of the United States;

"(2) any State, local, or tribal government (or any political subdivision thereof);

"(3) any foreign government or international organization;

"(4) any public or private organization; or

"(5) any individual."

**SA 6627.** Mr. SCHUMER (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) proposed an amendment to the bill S. 3428, to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fission for the Future Act".

#### SEC. 2. U.S. NUCLEAR FUELS SECURITY INITIATIVE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Department should—

(A) prioritize activities to increase domestic production of low-enriched uranium; and

(B) accelerate efforts to establish a domestic high-assay, low-enriched uranium enrichment capability; and

(2) if domestic enrichment of high-assay, low-enriched uranium will not be commercially available at the scale needed in time to meet the needs of the advanced nuclear reactor demonstration projects of the Department, the Secretary shall consider and implement, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, without impacting existing Department missions, until such time that commercial enrichment and deconversion capability for high-assay, low-enriched uranium exists at a scale sufficient to meet future needs; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(b) OBJECTIVES.—The objectives of this section are—

(1) to expeditiously increase domestic production of low-enriched uranium;

(2) to expeditiously increase domestic production of high-assay, low-enriched uranium by an annual quantity, and in such form, determined by the Secretary to be sufficient to meet the needs of—

(A) advanced nuclear reactor developers; and

(B) the consortium;

(3) to ensure the availability of domestically produced, converted, and enriched uranium in a quantity determined by the Secretary, in consultation with U.S. nuclear energy companies, to be sufficient to address a reasonably anticipated supply disruption;

(4) to address gaps and deficiencies in the domestic production, conversion, enrichment, deconversion, and reduction of uranium by partnering with countries that are allies or partners of the United States if domestic options are not practicable;

(5) to ensure that, in the event of a supply disruption in the nuclear fuel market, a reserve of nuclear fuels is available to serve as a backup supply to support the nuclear non-proliferation and civil nuclear energy objectives of the Department;

(6) to support enrichment, deconversion, and reduction technology deployed in the United States; and

(7) to ensure that, until such time that domestic enrichment and deconversion of high-assay, low-enriched uranium is commercially available at the scale needed to meet the needs of advanced nuclear reactor developers, the Secretary considers and implements, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules.

(c) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term “advanced nuclear reactor” has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) ASSOCIATED ENTITY.—The term “associated entity” means an entity that—

(A) is owned, controlled, or dominated by—

(i) the government of a country that is an ally or partner of the United States; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country that is an ally or partner of the United States, including a corporation that is incorporated in such a country.

(3) ASSOCIATED INDIVIDUAL.—The term “associated individual” means an alien who is a national of a country that is an ally or partner of the United States.

(4) CONSORTIUM.—The term “consortium” means the consortium established under section 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C. 16281(a)(2)(F)).

(5) DEPARTMENT.—The term “Department” means the Department of Energy.

(6) HIGH-ASSAY, LOW-ENRICHED URANIUM; HALEU.—The term “high-assay, low-enriched uranium” or “HALEU” means high-assay low-enriched uranium (as defined in section 2001(d) of the Energy Act of 2020 (42 U.S.C. 16281(d))).

(7) LOW-ENRICHED URANIUM; LEU.—The term “low-enriched uranium” or “LEU” means each of—

(A) low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and

(B) low-enriched uranium (as defined in section 3112A(a) of that Act (42 U.S.C. 2297h-10a(d))).

(8) PROGRAMS.—The term “Programs” means—

(A) the Nuclear Fuel Security Program established under subsection (d)(1);

(B) the American Assured Fuel Supply Program of the Department; and

(C) the HALEU for Advanced Nuclear Reactor Demonstration Projects Program established under subsection (d)(3).

(9) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(10) U.S. NUCLEAR ENERGY COMPANY.—The term “U.S. nuclear energy company” means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(d) ESTABLISHMENT AND EXPANSION OF PROGRAMS.—The Secretary, consistent with the objectives described in subsection (b), shall—

(1) establish a program, to be known as the “Nuclear Fuel Security Program”, to increase the quantity of LEU and HALEU produced by U.S. nuclear energy companies;

(2) expand the American Assured Fuel Supply Program of the Department to ensure the availability of domestically produced, converted, and enriched uranium in the event of a supply disruption; and

(3) establish a program, to be known as the “HALEU for Advanced Nuclear Reactor Demonstration Projects Program”—

(A) to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers until such time that commercial enrichment and deconversion capability for HALEU exists in the United States at a scale sufficient to meet future needs; and

(B) where practicable, to partner with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(e) NUCLEAR FUEL SECURITY PROGRAM.—

(1) IN GENERAL.—In carrying out the Nuclear Fuel Security Program, the Secretary—

(A) shall—

(i) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts to begin acquiring not less than 100 metric tons per year of LEU by December 31, 2026 (or the earliest operationally feasible date thereafter), to ensure diverse domestic uranium mining, conversion, enrichment, and deconversion capacity and technologies, including new capacity, among U.S. nuclear energy companies;

(ii) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 20 metric tons per year of HALEU by December 31, 2027 (or the earliest operationally feasible date

thereafter), from U.S. nuclear energy companies;

(iii) utilize only uranium produced, converted, enriched, deconverted, and reduced in—

(I) the United States; or

(II) if domestic options are not practicable, a country that is an ally or partner of the United States; and

(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear reactors in the United States; and

(B)(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1)(A)(ii), the Secretary shall consider and, if appropriate, implement—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10-percent enriched uranium as feedstock in demonstration-scale or commercial HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to provide LEU and HALEU for commercial purposes;

(C) options that provide for an array of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(D) options—

(i) to replenish, as necessary, Department stockpiles of uranium that was intended to be downblended for other purposes, but was instead used in carrying out activities under the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of the recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE-FOA-0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers and other end-users.

(3) AVOIDANCE OF MARKET DISRUPTIONS.—In carrying out the Nuclear Fuel Security Program, the Secretary, to the extent practicable and consistent with the purposes of that program, shall not disrupt or replace market mechanisms by competing with U.S. nuclear energy companies.

(f) EXPANSION OF THE AMERICAN ASSURED FUEL SUPPLY PROGRAM.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(1) expand the American Assured Fuel Supply Program of the Department by merging



the operations of the Uranium Reserve Program of the Department with the American Assured Fuel Supply Program; and

(2) in carrying out the American Assured Fuel Supply Program of the Department, as expanded under paragraph (1)—

(A) maintain, replenish, diversify, or increase the quantity of uranium made available by that program in a manner determined by the Secretary to be consistent with the purposes of that program and the objectives described in subsection (b);

(B) utilize only uranium produced, converted, and enriched in—

(i) the United States; or

(ii) if domestic options are not practicable, a country that is an ally or partner of the United States;

(C) make uranium available from the American Assured Fuel Supply, subject to terms and conditions determined by the Secretary to be reasonable and appropriate;

(D) refill and expand the supply of uranium in the American Assured Fuel Supply, including by maintaining a limited reserve of uranium to address a potential event in which a domestic or foreign recipient of uranium experiences a supply disruption for which uranium cannot be obtained through normal market mechanisms or under normal market conditions; and

(E) take other actions that the Secretary determines to be necessary or appropriate to address the purposes of that program and the objectives described in subsection (b).

(g) HALEU FOR ADVANCED NUCLEAR REACTOR DEMONSTRATION PROJECTS PROGRAM.—

(1) ACTIVITIES.—On enactment of this Act, the Secretary shall immediately accelerate and, as necessary, initiate activities to make available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactors that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE-FOA-0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HALEU to be made available to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(2) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all viable options to make HALEU available in quantities sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(A) by September 30, 2024, not less than 3 metric tons of HALEU;

(B) by December 31, 2025, not less than an additional 8 metric tons of HALEU; and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(3) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2022;

(ii) uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development,

demonstration, or deployment activities of the Department, including activities that reduce the environmental liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile, which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles intended for national security needs), but for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department;

(B) options for expanding, or establishing new, capabilities or infrastructure to support the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstration projects of the Department;

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (d)(1); and

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(4) LIMITATIONS.—

(A) CERTAIN SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to—

(i) the final disposition of radioactive waste from uranium that is the subject of a contract for sale, resale, transfer, or lease under this subsection; or

(ii) environmental cleanup activities.

(B) CERTAIN COMMITMENTS.—In carrying out activities under this subsection, the Secretary—

(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (i)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(5) SUNSET.—The authority of the Secretary to carry out activities under this subsection shall terminate on the date on which the Secretary notifies Congress that the HALEU needs of advanced nuclear reactor developers can be fully met by commercial HALEU suppliers in the United States, as determined by the Secretary, in consultation with U.S. nuclear energy companies.

(h) DOMESTIC SOURCING CONSIDERATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may only carry out an activity in connection with 1 or more of the Programs if—

(A) the activity promotes manufacturing in the United States associated with uranium supply chains; or

(B) the activity relies on resources, materials, or equipment developed or produced—

(i) in the United States; or

(ii) in a country that is an ally or partner of the United States by—

(I) the government of that country;

(II) an associated entity; or

(III) a U.S. nuclear energy company.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) with respect to an activity if the Secretary determines a waiver to be necessary to achieve 1 or more of the objectives described in subsection (b).

(i) REASONABLE COMPENSATION.—

(1) IN GENERAL.—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available by the Secretary under 1 or more of the Programs is subject to reasonable compensation, taking into account the fair market value of the LEU or HALEU and the purposes of this section.

(2) AVAILABILITY OF CERTAIN FUNDS.—

(A) IN GENERAL.—Notwithstanding section 3302(b) of title 31, United States Code, revenues received by the Secretary from the sale or transfer of fuel feed material acquired by the Secretary pursuant to a contract entered into under clause (i) or (ii) of subsection (e)(1)(A) shall—

(i) be deposited in the account described in subparagraph (B);

(ii) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and

(iii) remain available until expended.

(B) REVOLVING FUND.—There is established in the Treasury an account into which the revenues described in subparagraph (A) shall be—

(i) deposited in accordance with clause (i) of that subparagraph; and

(ii) made available in accordance with clauses (ii) and (iii) of that subparagraph.

(j) NUCLEAR REGULATORY COMMISSION.—The Nuclear Regulatory Commission shall prioritize and expedite consideration of any action related to the Programs to the extent permitted under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and related statutes.

(k) USEC PRIVATIZATION ACT.—The requirements of section 3112 of the USEC Privatization Act (42 U.S.C. 2297h-10) shall not apply to activities related to the Programs.

(l) NATIONAL SECURITY NEEDS.—The Secretary shall only make available to a member of the consortium under this section for commercial use or use in a demonstration project material that the President has determined is not necessary for national security needs, subject to the condition that the material made available shall not include any material that the Secretary determines to be necessary for the National Nuclear Security Administration or any critical mission of the Department.

(m) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

### SEC. 3. REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 40323 of the Infrastructure Investment



and Jobs Act (42 U.S.C. 18753), taking into account—

(1) the zero-emission nuclear power production credit authorized by section 45U of the Internal Revenue Code of 1986; and

(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of that program.

**SA 6628.** Mr. SCHUMER (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) proposed an amendment to the bill S. 3428, to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes; as follows:

Amend the title so as to read: "A bill to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes."

Mr. MERKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. ROSEN). Without objection, it is so ordered.

#### TRIBUTE TO ANNA TAYLOR AND REGGIE BABIN

Mr. SCHUMER. Well, Madam President, as you know, there are a lot of good things that occur at the end of the year. We have our holidays—our Christmas and Hanukkah holidays—with our families. We passed a lot of good legislation, and that is a job well done. A feeling of pride swells in all of our hearts that we were able to help so many American people in so many different ways and make our country and our world a better place.

But it is also a moment of sadness in a certain sense for those of us who some of our great staff members are leaving. I have a few, and I would like to talk about two today, two of the top people.

I am blessed. I have a great staff. I know how good you all think they are, our Senators, because you are always talking to my staff, and that shows the respect that they have for them and the respect I have for them as well.

One of the nice things about my staff is they are with me for many, many years. In fact, Mike Lynch, my chief in New York and Washington, who I think is the best chief for a leader that anyone has ever had, and Martin Brennan, my chief in Washington, have been with me virtually since I began in the Senate 24 years ago. So people stay awhile.

And these two have. I am going to miss them dearly.

First, let me begin with my Director of Economic Policy, Anna Taylor.

How did I meet Anna Taylor? Blanche Lambert Lincoln, a Senator from Arkansas, had just lost her race. She came into my office, and we hugged and cried a little bit because she was such a great person and we knew we would miss her in the Senate.

But she said: I want to give you a gift. And she said: Anna Taylor. Anna Taylor—that is how they would say her name. They are from northeast Arkansas. They call it the rice country. That means rice.

And she has been the best tax staffer—trade, economic policy—on the Hill. Every Senator on our side of the aisle and many on other sides of the aisle, when they have problems on tax policy, the watchword is: Go to Anna.

I don't know. Are they here? Are they—no. Well, I hope they are listening. Anyway: Go to Anna. She knows it better than anyone.

And she is brilliant. She is hard-working. She takes the most complex problems and figures out how to solve them in a substantive way but in a way that could be acceptable politically to a broad and diverse Senate. And she just knows it all. When there are these complicated economic issues that need explaining, she explains them in a way that is totally accurate and deep but also makes us able to understand them.

And, of course, she knows she is number 38 on my speed dial on my well-known famous—or infamous, whatever way you look at it—flip phone. She takes my calls from about 6 in the morning until about midnight because I so depend on her.

She is also such a decent person. She is amazing. She is kind. She is nice. She is caring. And she is so dedicated. Let me tell you, during the IRA, one of the most important pieces of legislation passed in decades—and she, more than anyone else, had written the tax parts of it, trying to take the diverse views of everybody—she was having her baby, her first baby. She got married while she was working on our staff. And she had little Posey. What a nice name. She kept working. I said: Anna, don't come here. Don't get on the phone. You just became a new momma.

But, no, there she was being a great momma as well as somebody helping get us past this historic legislation.

So now Anna is moving on. It will be a little less frenetic life and a life where she can enjoy Posey and her husband. And all of us—not just CHUCK SCHUMER, not just all of my wonderful staff, but the whole Senate—she leaves a huge hole, a huge cavity of knowledge, of dedication, of reliance.

We will miss you, Anna, but you deserve the best. And you will always, always, always be a member of the Schumer family.

And she is not the only one who is leaving. Another great one is leaving too—my chief counsel—and that is Reggie Babin. He, too, is from the South. This kid from southern Brooklyn is hiring a lot of southern Americans—not southern Americans—people from the South of the United States.

Reggie is from Louisiana. He still loves LSU and many other Louisiana-type things. And he is my departing chief counsel.

When I became leader—then minority leader—I needed a really good counsel. The minute I interviewed Reggie, who had worked on the House side for Cedric Richmond and in the Black Caucus, I said: Whoa, this guy has got it all. We have got to hire him.

And sure enough, my faith in that initial meeting was totally vindicated. Reggie is deep. He is a thinker. And when you have a problem, he has always turned it over six different ways with many different sides of the prism. He sees them all. And he is careful, and he is thoughtful.

I am sort of a "yes" person. I like to get everything done. He is a little bit more of a "no" person and has stopped me from doing things that I am glad I never did. And he is just amazing.

And he has had such dedication in so many pieces of legislation that we have passed. And probably at the top of the list is judges. As Senator DURBIN, the chairman of Judiciary knows, we have appointed so many good people on the bench. And Dick and his committee did a great job, but so did Reggie Babin—who worked with the White House, who worked with the Judiciary Committee, who worked with everybody. And we have a record number of judges, and I would say it is the finest cohort of judges that has ever come before the Senate in 2 years. And it is in good part because of Reggie.

There are a couple of things that he didn't get done—his goal to help us decriminalize marijuana, one of his passions because he had seen how badly it had hurt communities throughout the country. We came close, but we didn't make it. But, Reggie, a pledge to you. We are going to continue your work and your legacy next year. You have built a great bipartisan coalition, and I believe we can get it done.

So, Reggie, just like Anna, we will miss you. You have left your mark on this institution, both Anna and Reggie. They have both left their mark on our country. There are millions of Americans right now whose lives are better because Reggie Babin and Anna Taylor trod the Halls of Congress and did great work for all of us.

So I want to thank them for their sacrifice. I want to thank them for their good will. I want to thank them for their friendship. We got to know each other on a personal basis.

And I want to say to both: You are always members of the Schumer family. We will always be in touch. We miss you, wish you Godspeed, and know you will continue to have great success with your families and in making the world a better place.

We have a little housekeeping business, the last bit of the season, of 2022, a great year for us. Not the last bit. OK. Not the last today, but we don't have to do anything tomorrow. OK. Good.

The PRESIDING OFFICER. Pro forma.

Mr. SCHUMER. Pro forma. Excellent. All right.

#### PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 2617

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 51, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 51) providing for a correction in the enrollment of H.R. 2617.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. I know of no further debate.

The PRESIDING OFFICER. If there is no further debate, the question is on adoption of the concurrent resolution.

The concurrent resolution (S. Con. Res. 51) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

Mr. SCHUMER. I ask that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MAKING APPROPRIATIONS FOR THE DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 310, H.R. 4373.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4373) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2022, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Leahy amendment at the desk be considered and agreed to and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 6623) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Further Additional Continuing Appropriations and Extensions Act, 2023".

##### SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short Title.

Sec. 2. Table of Contents.

Sec. 3. References.

##### DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2023 DIVISION B—OTHER MATTERS

Title I—Extensions

Title II—Budgetary Effects

##### SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

##### DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2023

SEC. 101. The Continuing Appropriations Act, 2023 (division A of Public Law 117-180) is amended by striking the date specified in section 106(3) and inserting "December 30, 2022".

This division may be cited as the "Further Additional Continuing Appropriations Act, 2023".

##### DIVISION B—OTHER MATTERS

###### TITLE I—EXTENSIONS

##### SEC. 101. EXTENSION OF FCC AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) shall be applied by substituting "December 30, 2022" for "December 23, 2022".

##### SEC. 102. EXTENSION OF AUTHORIZATION FOR SPECIAL ASSESSMENT FOR DOMESTIC TRAFFICKING VICTIMS' FUND.

Section 3014(a) of title 18, United States Code, shall be applied, in the matter preceding paragraph (1), by substituting "December 30, 2022" for "December 23, 2022".

##### SEC. 103. UNITED STATES PAROLE COMMISSION EXTENSION.

(a) SHORT TITLE.—This section may be cited as the "United States Parole Commission Further Additional Extension Act of 2022".

(b) AMENDMENT OF SENTENCING REFORM ACT OF 1984.—For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98-473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to "35 years and 46 days" or "35-year and 46-day period" shall be applied as if it were a reference to "35 years and 60 days" or "35-year and 60-day period", respectively.

(c) EFFECTIVE DATE.—Subsection (b) shall take effect as though enacted as part of the Further Continuing Appropriations and Extensions Act, 2023.

(d) SUPERSEDED PROVISION.—Section 103 of division B of the Further Continuing Appropriations and Extensions Act, 2023 shall have no force or effect.

##### SEC. 104. EXTENSION OF COMMODITY FUTURES TRADING COMMISSION CUSTOMER PROTECTION FUND EXPENSES ACCOUNT.

Section 1(b) of Public Law 117-25 (135 Stat. 297) shall be applied by substituting "December 30, 2022" for "December 23, 2022" each place it appears.

##### SEC. 105. EXTENSION OF MORATORIUM.

Section 424(a) of title IV of division G of Public Law 113-76 shall be applied by substituting "December 31, 2022" for "December 24, 2022".

##### TITLE II—BUDGETARY EFFECTS

##### SEC. 201. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard main-

tained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. SCHUMER. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4373), as amended, was passed.

Mr. SCHUMER. I ask that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 4373

Mr. SCHUMER. Now, Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 52, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 52) providing for a correction in the enrollment of H.R. 4373.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. I know of no further debate.

The PRESIDING OFFICER. If there is no further debate, the question is on adoption of the concurrent resolution.

The concurrent resolution (S. Con. Res. 52) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

Mr. SCHUMER. I ask that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

(Mr. WARNOCK assumed the Chair.)

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAINE). Without objection, it is so ordered.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: No. 763, No. 1136, No. 1153, No. 1169; further, that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of PN 2225 Terrence Edwards to be Inspector General of the National Reconnaissance Office; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, the committee was discharged and the Senate proceeded to consider the nominations en bloc.

The question is, Will the Senate advise and consent to the nominations of Rebecca E. Jones Gaston, of Oregon, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services; Douglas J. McKalip, of the District of Columbia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador; Milancy Danielle Harris, of Virginia, to be a Deputy Under Secretary of Defense; and Jose Emilio Esteban, of California, to be Under Secretary of Agriculture for Food Safety; and Terrence Edwards, of Maryland, to be Inspector General of the National Reconnaissance Office, en bloc?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

### JUSTICE FOR THE LIVING VICTIMS OF LOCKERBIE ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 5357, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 5357) to provide compensation for United States victims of Libyan state-sponsored terrorism, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 5357) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:  
S. 5357

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Justice for the Living Victims of Lockerbie Act".

#### SEC. 2. DEFINED TERM.

In this Act, the term "compensable living victim of Libyan state-sponsored terrorism" means an individual who—

(1) is a United States person;

(2) was 45 years of age or older on December 3, 1991;

(3) was employed by Pan American World Airways, Inc., on December 3, 1991;

(4) was a named claimant in Abbott et al. v. Socialist People's Libyan Arab Jamahiriya (case number 1:94-cv-02444-SS) in the United States District Court for the District of Columbia; and

(5) was alive on August 14, 2008.

#### SEC. 3. LIVING VICTIMS OF LOCKERBIE CLAIMS TRUST FUND.

(a) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury shall establish, in the Treasury of the United States, a trust fund, to be known as the "Living Victims of Lockerbie Claims Trust Fund" (in this section referred to as the "Fund") for the payment of claims submitted by compensable living victims of Libyan state-sponsored terrorism under section 4.

(b) AUTHORIZATION OF APPROPRIATIONS.—Once the Fund is established pursuant to subsection (a), there shall be appropriated to the Fund, out of any money in the Treasury of the United States not otherwise appropriated, \$20,000,000 for fiscal year 2023, which shall be made available to provide compensation to compensable living victims of Libyan state-sponsored terrorism.

#### SEC. 4. COMPENSATION FOR LIVING VICTIMS OF LIBYAN STATE-SPONSORED TERRORISM.

(a) CERTIFICATION BY THE FOREIGN CLAIMS SETTLEMENT COMMISSION.—The Foreign Claims Settlement Commission shall—

(1) not later than 30 days after the date of the enactment of this Act, publish in the Federal Register a notice of a process for filing claims on behalf of compensable living victims of Libyan state-sponsored terrorism, which shall include a deadline for the filing of claims of not later than the date that is 60 days after the date of publication of the notice;

(2) not later than 60 days after the end of the period for filing claims described in paragraph (1)—

(A) determine if each individual who submitted a claim under that paragraph is a compensable living victim of Libyan state-sponsored terrorism; and

(B) approve the claim of each individual the Commission determines under subparagraph (A) to be a compensable living victim of Libyan state-sponsored terrorism; and

(3) upon approving a claim under paragraph (2)(B), certify approval of the claim to the Secretary of the Treasury for purposes of authorization of payment under subsection (b).

(b) PAYMENTS AUTHORIZED.—Upon receiving a certification from the Foreign Claims Settlement Commission under subsection (a)(3), the Secretary of the Treasury shall make payments from the Fund to compensable living victims of Libyan state-sponsored terrorism in accordance with subsection (c).

#### (c) COMPENSATION.—

(1) IN GENERAL.—Upon a certification by the Foreign Claims Settlement Commission under subsection (a)(3) of the claim of a compensable living victim of Libyan state-sponsored terrorism, the claimant (or, in the case of a deceased claimant, the personal representative of the claimant's estate) shall be entitled to an award in an amount equal to—

(A) \$20,000,000, divided by

(B) the total number of claims certified under subsection (a)(3).

(2) REPRESENTATIVE.—If a putative claimant that otherwise qualifies for compensation under this section is deceased, a personal representative may bring a claim on behalf of the estate of the claimant.

### NATIONAL DAY OF REMEMBRANCE FOR THE WORKERS OF THE NUCLEAR WEAPONS PROGRAM OF THE UNITED STATES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 785.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read the following:

A resolution (S. Res. 785) designating October 30, 2022, as a national day of remembrance for the workers of the nuclear weapons program of the United States.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 785) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 20, 2022, under "Submitted Resolutions.")

## APPOINTMENT

The President Officer. The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 110-315, announces the re-appointment of the following individual to be a member of the National Advisory Committee on Institutional Quality and Integrity: Michael Poliakoff of Virginia.

## SAMI'S LAW

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1082, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1082) to prohibit the unauthorized sale of ride-hailing signage and study the incidence of fatal and non-fatal assaults in TNC and for-hire vehicles in order to enhance safety and save lives.

There being no objection the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Wicker amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; the amendment to the title be considered and agreed to; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 6624) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sami’s Law”.

#### SEC. 2. GAO STUDY ON INCIDENCE OF FATAL AND NON-FATAL PHYSICAL AND SEXUAL ASSAULT OF PASSENGERS, TNC DRIVERS, AND DRIVERS OF OTHER FOR-HIRE VEHICLES.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, the Comptroller General of the United States shall submit to Congress a report that includes the results of a study regarding—

(1) the incidence of fatal and non-fatal physical assault and sexual assault perpetrated in the preceding 2 calendar years (starting with calendar years 2019 and 2020 for the first study)—

(A) against TNC drivers and drivers of other for-hire vehicles (including taxicabs) by passengers and riders of for-hire vehicles; and

(B) against passengers and riders by other passengers and TNC drivers or drivers of other for-hire vehicles (including taxicabs), including the incidences that are committed by individuals who are not TNC drivers or drivers of other for-hire vehicles but who pose as TNC drivers or drivers of other for-hire vehicles;

(2) the nature and specifics of any background checks conducted on prospective TNC drivers and drivers of other for-hire vehicles (including taxicabs), including any State and local laws requiring those background checks; and

(3) the safety steps taken by transportation network companies and other for-hire vehicle services (including taxicab companies) related to rider and driver safety.

(b) SEXUAL ASSAULT DEFINED.—In this section, the term “sexual assault” means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1082), as amended, was passed.

The amendment (No. 6625) was agreed to as follows:

(Purpose: To amend the title)

Amend the title so as to read: “An Act to study the incidence of fatal and non-fatal as-

saults in TNC and for-hire vehicles in order to enhance safety and save lives.”.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SAVE OUR SEAS 2.0 AMENDMENTS ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 663, S. 4321.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4321) to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, Science, and Transportation, with amendment, as follows:

(The parts of the bill intended to be inserted are shown in *italics*.)

S. 4321

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Save Our Seas 2.0 Amendments Act”.

#### SEC. 2. MODIFICATIONS TO THE MARINE DEBRIS FOUNDATION.

(a) STATUS OF FOUNDATION.—Section 111(a) of the Save Our Seas 2.0 Act (33 U.S.C. 4211(a)) is amended, in the second sentence, by striking “organization” and inserting “corporation”.

(b) BOARD OF DIRECTORS.—

(1) APPOINTMENTS AND REMOVAL.—Section 112(b) of such Act (33 U.S.C. 4212(b)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting “and such other criteria as the Under Secretary may establish” after “subsection (a)”; and

(B) in paragraph (5), by inserting “the Administrator of the United States Agency for International Development,” after “Service”;

(C) by redesignating subparagraphs (2) through (5) as subparagraphs (3) through (6), respectively; and

(D) by inserting after paragraph (1) the following:

“(2) RECOMMENDATIONS OF BOARD REGARDING APPOINTMENTS.—For appointments made under paragraph (1) other than the initial appointments, the Board shall submit to the Under Secretary recommendations on candidates for appointment.”.

(2) GENERAL POWERS.—Section 112(g) of such Act (33 U.S.C. 4212(g)) is amended—

(A) in paragraph (1)(A), by striking “officers and employees” and inserting “the initial officers and employees of the Board”; and

(B) in paragraph (2)(B)(i), by striking “chief operating officer” and inserting “chief executive officer”.

(3) CHIEF EXECUTIVE OFFICER.—Section 112 of such Act (33 U.S.C. 4212) is amended by adding at the end the following:

“(h) CHIEF EXECUTIVE OFFICER.—

“(1) APPOINTMENT; REMOVAL; REVIEW.—The Board shall appoint and may remove and review the performance of the chief executive officer of the Board.

“(2) POWERS.—The chief executive officer of the Board may appoint, remove, and review the performance of any officer or employee of the Foundation.”.

(c) POWERS OF FOUNDATION.—Section 113(c)(1) of such Act (33 U.S.C. 4213(c)(1)) is amended, in the matter preceding subparagraph (A)—

(1) by inserting “nonprofit” before “corporation”; and

(2) by striking “acting as a trustee” and inserting “formed”.

(d) PRINCIPAL OFFICE.—Section 113 of such Act (33 U.S.C. 4213) is amended by adding at the end the following:

“(g) PRINCIPAL OFFICE.—The Board may locate the principal office of the Foundation outside the District of Columbia and is encouraged to locate that office in a coastal State.”.

(e) USE OF FUNDS.—Section 118 of such Act (33 U.S.C. 4218) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “and State and local government agencies” and inserting “, State and local government agencies, United States and international nongovernmental organizations, regional organizations, and foreign government entities”; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking “PROHIBITION” and inserting “LIMITATION”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) SALARIES.—The Foundation may use Federal funds described in subparagraph (A) to pay for salaries only during the 24-month period beginning on the date of the enactment of this Act. The Secretary shall not require reimbursement from the Foundation for any such Federal funds used to pay for such salaries.”; and

(2) in subsection (b)(2), by striking “and State and local government agencies” and inserting “, State and local government agencies, United States and international nongovernmental organizations, regional organizations, and foreign government entities”.

#### SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) GRANTS, COOPERATIVE AGREEMENTS, CONTRACTS, AND OTHER AGREEMENTS.—Section 3(d) of the Marine Debris Act (33 U.S.C. 1952(d)) is amended—

(1) in the subsection heading, by striking “AND CONTRACTS” and inserting “CONTRACTS, AND OTHER AGREEMENTS”; and

(2) in paragraph (1), by striking “and contracts” and inserting “, contracts, and other agreements”;

(3) in paragraph (2)—

(A) in subparagraph (B)—

(i) by striking “part of the” and inserting “part of a”; and

(ii) by inserting “or (C)” after “subparagraph (A)”; and

(B) in subparagraph (C), in the matter preceding clause (i), by inserting “and except as provided in subparagraph (B)” after “subparagraph (A)”; and

(4) by adding at the end the following:

“(7) IN-KIND CONTRIBUTIONS.—With respect to any project carried out pursuant to a contract or other agreement entered into under paragraph (1) that is not a cooperative agreement or an agreement to provide financial assistance in the form of a grant, the Administrator may contribute on an in-kind basis the portion of the costs of the project that the Administrator determines represents the amount of benefit the National Oceanic and Atmospheric Administration derives from the project.”

(b) RECEIPT AND EXPENDITURE OF FUNDS; USE OF RESOURCES.—Section 3 of the Marine Debris Act (33 U.S.C. 1952) is amended by adding at the end the following:

“(e) RECEIPT AND EXPENDITURE OF FUNDS.—In order to accomplish the purpose set forth in section 2, the Administrator, acting through the Program, may receive and, only to the extent provided in advance in appropriations Acts, expend funds made available by—

- “(1) any department, agency, or instrumentality of the United States;
- “(2) any State, local, or tribal government (or any political subdivision thereof);
- “(3) any foreign government or international organization;
- “(4) any public or private organization; or
- “(5) any individual.

“(f) USE OF RESOURCES.—In order to accomplish the purpose set forth in section 2, the Administrator, acting through the Program, may use, with consent, with reimbursement, and subject to the availability of appropriations, the land, services, equipment, personnel, and facilities of—

- “(1) any department, agency, or instrumentality of the United States;
- “(2) any State, local, or tribal government (or any political subdivision thereof);
- “(3) any foreign government or international organization;
- “(4) any public or private organization; or
- “(5) any individual.”

#### SEC. 4. BEST PRACTICES.

Section 113 of the *Save Our Seas 2.0 Act* (33 U.S.C. 4213) (as amended by section 2(d)) is amended by adding at the end the following:

“(h) BEST PRACTICES.—

“(1) TRIBAL GOVERNMENT.—In this paragraph, the term ‘Tribal government’ means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation individually identified (including parenthetically) in the list published most recently as of the date of enactment of the *Save Our Seas 2.0 Amendments Act* pursuant to section 104 of the *Federally Recognized Indian Tribe List Act* of 1994 (25 U.S.C. 5131).

“(2) BEST PRACTICES.—The Foundation shall develop and implement best practices for conducting outreach to Tribal governments and Indian Tribes.

“(3) REQUIREMENTS.—The best practices developed under paragraph (2) shall—

“(A) include a process to support technical assistance and capacity building to improve outcomes; and

“(B) promote an awareness of programs and grants available under this Act.”

Mr. SCHUMER. I ask unanimous consent that the committee-reported amendment be withdrawn; that the Sullivan substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 6626), in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Save Our Seas 2.0 Amendments Act”.

#### SEC. 2. MODIFICATIONS TO THE MARINE DEBRIS FOUNDATION.

(a) STATUS OF FOUNDATION.—Section 111(a) of the *Save Our Seas 2.0 Act* (33 U.S.C. 4211(a)) is amended, in the second sentence, by striking “organization” and inserting “corporation”.

(b) BOARD OF DIRECTORS.—

(1) APPOINTMENT, VACANCIES, AND REMOVAL.—Section 112(b) of such Act (33 U.S.C. 4212(b)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

- (i) by striking “and considering” and inserting “considering”;
- (ii) by inserting “and with the approval of the Secretary of Commerce,” after “by the Board,”; and
- (iii) by inserting “and such other criteria as the Under Secretary may establish” after “subsection (a)”;

(B) in paragraph (3)(A), by inserting “with the approval of the Secretary of Commerce” after “the Board”;

(C) in paragraph (5)—

- (i) by inserting “the Administrator of the United States Agency for International Development,” after “Service,”; and
- (ii) by inserting “and with the approval of the Secretary of Commerce” after “EPA Administrator”;

(D) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(E) by inserting after paragraph (1) the following:

“(2) RECOMMENDATIONS OF BOARD REGARDING APPOINTMENTS.—For appointments made under paragraph (1) other than the initial appointments, the Board shall submit to the Under Secretary recommendations on candidates for appointment.”

(2) GENERAL POWERS.—Section 112(g) of such Act (33 U.S.C. 4212(g)) is amended—

(A) in paragraph (1)(A), by striking “officers and employees” and inserting “the initial officers and employees of the Board”; and

(B) in paragraph (2)(B)(i), by striking “chief operating officer” and inserting “chief executive officer”.

(3) CHIEF EXECUTIVE OFFICER.—Section 112 of such Act (33 U.S.C. 4212) is amended by adding at the end the following:

“(h) CHIEF EXECUTIVE OFFICER.—

“(1) APPOINTMENT; REMOVAL; REVIEW.—The Board shall appoint and may remove and review the performance of the chief executive officer of the Board.

“(2) POWERS.—The chief executive officer of the Board may appoint, remove, and review the performance of any officer or employee of the Foundation.”

(c) POWERS OF FOUNDATION.—Section 113(c)(1) of such Act (33 U.S.C. 4213(c)(1)) is amended, in the matter preceding subparagraph (A)—

- (1) by inserting “nonprofit” before “corporation”; and
- (2) by striking “acting as a trustee” and inserting “formed”.

(d) PRINCIPAL OFFICE.—Section 113 of such Act (33 U.S.C. 4213) is amended by adding at the end the following:

“(g) PRINCIPAL OFFICE.—The Board may locate the principal office of the Foundation outside the District of Columbia and is en-

couraged to locate that office in a coastal State.”

(e) BEST PRACTICES.—Section 113 of such Act (33 U.S.C. 4213), as amended by subsection (d), is further amended by adding at the end the following:

“(h) BEST PRACTICES.—

“(1) TRIBAL GOVERNMENT.—In this paragraph, the term ‘Tribal government’ means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation individually identified (including parenthetically) in the list published most recently as of the date of enactment of the *Save Our Seas 2.0 Amendments Act* pursuant to section 104 of the *Federally Recognized Indian Tribe List Act* of 1994 (25 U.S.C. 5131).

“(2) BEST PRACTICES.—The Foundation shall develop and implement best practices for conducting outreach to Tribal governments and Indian Tribes.

“(3) REQUIREMENTS.—The best practices developed under paragraph (2) shall—

“(A) include a process to support technical assistance and capacity building to improve outcomes; and

“(B) promote an awareness of programs and grants available under this Act.”

(f) USE OF FUNDS.—Section 118 of such Act (33 U.S.C. 4218) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “and State and local government agencies” and inserting “, State and local government agencies, United States and international nongovernmental organizations, regional organizations, and foreign government entities”; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking “PROHIBITION” and inserting “LIMITATION”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) SALARIES.—The Foundation may use Federal funds described in subparagraph (A) to pay for salaries only during the 24-month period beginning on the date of the enactment of this Act. The Secretary shall not require reimbursement from the Foundation for any such Federal funds used to pay for such salaries.”; and

(2) in subsection (b)(2), by striking “and State and local government agencies” and inserting “, State and local government agencies, United States and international nongovernmental organizations, regional organizations, and foreign government entities”.

#### SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) GRANTS, COOPERATIVE AGREEMENTS, CONTRACTS, AND OTHER AGREEMENTS.—Section 3(d) of the *Marine Debris Act* (33 U.S.C. 1952(d)) is amended—

(1) in the subsection heading, by striking “AND CONTRACTS” and inserting “CONTRACTS, AND OTHER AGREEMENTS”;

(2) in paragraph (1), by striking “and contracts” and inserting “, contracts, and other agreements”;

(3) in paragraph (2)—

(A) in subparagraph (B)—

(i) by striking “part of the” and inserting “part of a”; and

(ii) by inserting “or (C)” after “subparagraph (A)”;

(B) in subparagraph (C), in the matter preceding clause (i), by inserting “and except as provided in subparagraph (B)” after “subparagraph (A)”;

(4) by adding at the end the following:

“(7) IN-KIND CONTRIBUTIONS.—With respect to any project carried out pursuant to a contract or other agreement entered into under

paragraph (1) that is not a cooperative agreement or an agreement to provide financial assistance in the form of a grant, the Administrator may contribute on an in-kind basis the portion of the costs of the project that the Administrator determines represents the amount of benefit the National Oceanic and Atmospheric Administration derives from the project.”

(b) RECEIPT AND EXPENDITURE OF FUNDS; USE OF RESOURCES.—Section 3 of the Marine Debris Act (33 U.S.C. 1952) is amended by adding at the end the following:

“(e) RECEIPT AND EXPENDITURE OF FUNDS.—In order to accomplish the purpose set forth in section 2, the Administrator, acting through the Program, may, only to the extent provided in advance in appropriations Acts, receive and expend funds made available by—

“(1) any department, agency, or instrumentality of the United States;

“(2) any State, local, or tribal government (or any political subdivision thereof);

“(3) any foreign government or international organization;

“(4) any public or private organization; or

“(5) any individual.

“(f) USE OF RESOURCES.—In order to accomplish the purpose set forth in section 2, the Administrator, acting through the Program, may use, with consent, with reimbursement, and subject to the availability of appropriations, the land, services, equipment, personnel, and facilities of—

“(1) any department, agency, or instrumentality of the United States;

“(2) any State, local, or tribal government (or any political subdivision thereof);

“(3) any foreign government or international organization;

“(4) any public or private organization; or

“(5) any individual.”

The bill (S. 4321), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

### SUPPLY CHAIN DISRUPTIONS RELIEF ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 4105 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 4105) to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 4105) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4105

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Supply Chain Disruptions Relief Act”.

#### SEC. 2. TREATMENT OF CERTAIN LIQUIDATIONS OF NEW MOTOR VEHICLE INVENTORY AS QUALIFIED LIQUIDATIONS OF LIFO INVENTORY.

(a) IN GENERAL.—In the case of any dealer of new motor vehicles which inventories new motor vehicles under the LIFO method for any specified taxable year, the requirements of paragraphs (1)(B) and (2) of section 473(c) of the Internal Revenue Code of 1986 shall be treated as satisfied with respect to such inventory for such taxable year.

(b) ADDITIONAL RELIEF.—

(1) IN GENERAL.—The Secretary shall, not later than the date which is 90 days after the date of the enactment of this Act, prescribe regulations or other guidance under which dealers of new motor vehicles with a qualified liquidation (determined after application of subsection (a)) of new motor vehicles for any specified taxable year may elect—

(A) to not recognize any income in the specified taxable year which is solely attributable to such qualified liquidation, and

(B) to treat the replacement period with respect to such liquidation as being the period beginning with the first taxable year after such specified taxable year and ending with the earlier of—

(i) the first taxable year after such liquidation with respect to which such dealer does not inventory new motor vehicles under the LIFO method, or

(ii) the last taxable year ending before January 1, 2026.

(2) FAILURE TO FULLY REPLACE LIQUIDATED VEHICLES DURING REPLACEMENT PERIOD.—If, as of the close of the replacement period, the taxpayer has failed to replace all liquidated vehicles with respect to a qualified liquidation to which paragraph (1) applies, the taxpayer shall increase gross income for the last taxable year of the replacement period by the sum of—

(A) the aggregate amount of income that would have been required to be recognized in the liquidation year had the taxpayer elected to apply the provisions of section 473 of the Internal Revenue Code of 1986 and not made the election in paragraph (1), plus

(B) interest thereon at the underpayment rate established under section 6621 of such Code.

(3) ELECTIONS.—

(A) IN GENERAL.—Except to the extent provided in subparagraph (B), an election under paragraph (1) with respect to any specified taxable year shall be made by the due date (including extensions) for filing the taxpayer’s return of tax for such taxable year and in such manner as the Secretary may prescribe. Once made, any such election shall be irrevocable.

(B) CERTAIN ELECTIONS TREATED AS CHANGE IN METHOD OF ACCOUNTING.—In the case of an election with respect to a specified taxable year for which the return of tax has already been filed before the date of the enactment of this Act, any election under paragraph (1) for such specified taxable year may be made on the return of tax for the first taxable year ending after the date of the enactment of this Act and shall be treated for purposes of section 481 of the Internal Revenue Code of 1986 as a change in method of accounting initiated by the taxpayer and made with the consent of the Secretary.

(c) DEFINITIONS.—For purposes of this section—

(1) SPECIFIED TAXABLE YEAR.—The term “specified taxable year” means any liquidation year ending after March 12, 2020, and before January 1, 2022.

(2) NEW MOTOR VEHICLE.—The term “new motor vehicle” means a motor vehicle—

(A) which is described in section 163(j)(9)(C)(i) of the Internal Revenue Code of 1986, and

(B) the original use of which has not commenced.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Treasury or the Secretary’s delegate.

(4) OTHER TERMS.—Except as otherwise provided in this section, terms used in this section which are also used in section 473 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such section 473.

### ROOT AND STEM PROJECT AUTHORIZATION ACT OF 2022

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 548, S. 3046.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3046) to codify the authority of the Secretary of Agriculture and the Secretary of the Interior to conduct certain landscape-scale forest restoration projects, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which was reported from the Committee on Energy and Natural Resources with an amendment to strike all after the enacting clause and insert the part printed in *italic* as follows:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Root and Stem Project Authorization Act of 2022”.*

#### SEC. 2. ROOT AND STEM PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COLLABORATIVE PROCESS.—The term “collaborative process” means a process that—

(A) includes multiple interested persons representing diverse interests; and

(B)(i) is transparent and nonexclusive; or

(ii) meets the requirements for a resource advisory committee under subsections (c) through (f) of section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125).

(2) FEDERAL LAND.—The term “Federal land” means—

(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(3) SECRETARY CONCERNED.—The term “Secretary concerned” means, as applicable—

(A) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

(B) the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) LIST OF CONTRACTORS.—The Secretary concerned shall—

(1) maintain a list of non-Federal, third-party contractors that the Secretary concerned can hire in each State to complete the analysis described in subsection (c)(1); and

(2) not later than 180 days after the date of enactment of this Act, and every 3 years thereafter, submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a copy of the list described in paragraph (1).

(c) AGREEMENTS.—If a person submits to the Secretary concerned a proposal for a project on



Federal land that was developed through a collaborative process and that meets local and rural community needs, the Secretary concerned may enter into an agreement with the person, under which—

(1) the person initially provides to the Secretary concerned all, or a portion of, the funding necessary to complete any analysis that the Secretary concerned determines to be necessary under Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), for the consideration of the proposed project;

(2) the Secretary concerned uses the funding provided under paragraph (1) to pay a contractor included on the list maintained under subsection (b)(1) to conduct the analysis described in paragraph (1);

(3) on completion of the analysis described in paragraph (1), if the Secretary concerned makes a decision to proceed with the project, the Secretary concerned—

(A) solicits bids to carry out the project; and

(B) enters into a contract or agreement under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) to carry out the project; and

(4) using any receipts described in subsection (d)(1), the Secretary concerned, to the maximum extent practicable, repays to the person the funding initially provided under paragraph (1).

(d) ADDITIONAL RELATED AUTHORITIES.—

(1) USE OF RECEIPTS.—Any receipts that are generated by a project described in subsection (c) that are normally deposited in the General Fund of the Treasury shall be available for expenditure by the Secretary concerned, without further appropriation or fiscal year limitation, for the use described in subsection (c)(4).

(2) CONTRACTORS.—The Secretary concerned may noncompetitively hire a contractor included on the list maintained under subsection (b)(1) to conduct the analysis described in subsection (c)(1).

(e) SAVINGS CLAUSES.—

(1) AUTHORITY OF THE SECRETARY CONCERNED.—The Secretary concerned shall—

(A) determine the sufficiency of any documents prepared by a contractor under subsection (c)(2); and

(B) retain responsibility for any authorizing decision relating to a proposed project described in subsection (c).

(2) REVIEW AND APPROVAL OF INDEPENDENT THIRD PARTIES.—The Secretary concerned shall verify that there is no conflict of interest between—

(A) a person that submits a proposal under subsection (c); and

(B) a contractor that the Secretary concerned hires under paragraph (2) of that subsection to carry out an analysis with respect to that proposal.

(3) ADMINISTRATIVE COSTS.—The Secretary concerned—

(A) shall only use the funding provided to the Secretary concerned under subsection (c)(1) to pay a contractor pursuant to subsection (c)(2); and

(B) shall not use any portion of the funding provided to the Secretary concerned under subsection (c)(1) to cover any other expense or cost incurred by the Secretary concerned, including administrative costs.

(4) LIMITATIONS ON REIMBURSEMENTS.—If insufficient receipts are generated by a project described in subsection (c) to reimburse the person that provided funding under paragraph (1) of that subsection, the Secretary concerned shall not provide additional funding to the person.

(f) PROMOTION.—Not later than 60 days after the date of enactment of this Act, the Secretary concerned shall provide guidance to each local field office of the Secretary concerned for—

(1) making stakeholders aware of the authority under this Act; and

(2) encouraging use of that authority to meet land management goals.

(g) TREATMENT OF COLLABORATIVE MEMBERS.—For purposes of a civil action relating to a project described in subsection (c), any person that participated in the collaborative process to develop the proposal for the project shall be—

(1) entitled to intervene, as of right, in any subsequent civil action; and

(2) considered to be a full participant in any settlement negotiation relating to the project.

(h) SUNSET.—The requirements described in subsection (b) and the authority to enter into an agreement under subsection (c) shall expire on January 1, 2033.

Mr. SCHUMER. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 3046), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### LAND GRANT-MERCEDES TRADITIONAL USE RECOGNITION AND CONSULTATION ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 619, S. 2708.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2708) to provide for greater consultation between the Federal Government and the governing bodies and community users of land grant-mercedes in New Mexico, to provide for a process for recognition of the historic-traditional uses of land grant-mercedes, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2708) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Land Grant-Mercedes Traditional Use Recognition and Consultation Act”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COMMUNITY USER.—The term “community user” means an heir (as defined under the laws of the State) of a qualified land grant-merced.

(2) GOVERNING BODY.—The term “governing body” means the board of trustees author-

ized under State law with the control, care, and management of a qualified land grant-merced.

(3) HISTORICAL-TRADITIONAL USE.—The term “historical-traditional use” means, for a qualified land grant-merced, for noncommercial benefit—

(A) the use of water;

(B) religious or cultural use and protection;

(C) gathering herbs;

(D) gathering wood products;

(E) gathering flora or botanical products;

(F) grazing, to the extent that grazing has traditionally been carried out on the land, as determined by the Secretary concerned in consultation with the governing body of the affected land grant-merced;

(G) hunting or fishing;

(H) soil or rock gathering; and

(I) any other traditional activity for noncommercial benefit that—

(i) has a sustainable beneficial community use, as determined by the Secretary concerned in consultation with the governing body of the affected land grant-merced;

(ii) supports the long-term cultural and socioeconomic integrity of the community, as determined by the Secretary concerned in consultation with the governing body of the affected land grant-merced; and

(iii) is agreed to in writing by the Secretary concerned and the governing body of the qualified land grant-merced.

(4) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) QUALIFIED LAND GRANT-MERCEDES.—The term “qualified land grant-merced” means a community land grant issued under the laws or customs of the Government of Spain or Mexico that—

(A) is recognized under New Mexico Statutes Chapter 49 (or a successor statute); and

(B) has a historic or cultural record of use of lands under the jurisdiction of a Secretary concerned or their original or patented exterior boundaries are located adjacent to land under the jurisdiction of a Secretary concerned.

(6) SECRETARY CONCERNED.—The term “Secretary concerned” means the relevant Secretary of the Department of Agriculture or the Department of the Interior, with respect to land under the jurisdiction of that Secretary.

(7) STATE.—The term “State” means the State of New Mexico.

#### SEC. 3. GUIDANCE ON PERMIT REQUIREMENTS FOR QUALIFIED LAND GRANT-MERCEDES.

(a) IN GENERAL.—In accordance with all relevant laws, including subchapter II of chapter 5 of title 5, United States Code (commonly known as the “Administrative Procedure Act”) and all applicable environmental laws, and not later than 2 years after the date of the enactment of this Act, the Secretary concerned, acting through the appropriate officials of the Department of Agriculture and Department of the Interior in the State, in consultation with the New Mexico Land Grant Council, the governing bodies of qualified land grant-mercedes, and Indian Tribes, shall issue the written guidance described in subsection (b).

(b) CONTENTS OF GUIDANCE.—

(1) IN GENERAL.—Written guidance issued under subsection (a) shall include—

(A) a description of the historical-traditional uses that—

(i) a community user or a governing body of a qualified land grant-merced may conduct for noncommercial use on land under the jurisdiction of the Secretary concerned; and

(ii) require a permit from the Secretary concerned;

(B) administrative procedures for obtaining a permit under subparagraph (A);

(C) subject to subsection (c), the fees required to obtain that permit;

(D) the permissible use of motorized and nonmotorized vehicles and equipment by a community user or the governing body of a qualified land grant-merced for noncommercial historical-traditional use on land under the jurisdiction of the Secretary concerned;

(E) the permissible use of mechanized vehicles or equipment by a community user or governing body of a qualified land grant-merced for historical-traditional use on land under the jurisdiction of the Secretary concerned; and

(F) the permissible use of non-native material by a community user or the governing body of a qualified land grant-merced for any of the uses covered in paragraphs (2) and (3) on land under the jurisdiction of the Secretary concerned.

(2) **ROUTINE MAINTENANCE AND MINOR IMPROVEMENTS.**—Written guidance issued under subsection (a) shall address routine maintenance and minor improvements of infrastructure owned or used by a qualified land grant-merced on land under the jurisdiction of the Secretary concerned, including—

(A) cleaning, repair, or replacement-in-kind of infrastructure;

(B) maintenance and upkeep of a trail, road, cattle guard, culvert, or fence;

(C) maintenance and upkeep of a monument or shrine;

(D) maintenance and upkeep of a community cemetery;

(E) maintenance and upkeep of a livestock well, water lines, water storage container, or water tank; and

(F) any other routine maintenance or minor improvement associated with historical-traditional uses identified by any of the entities described in subsection (a) in the process of developing the guidance.

(3) **MAJOR IMPROVEMENTS.**—Written guidance issued under subsection (a) may describe the process for managing major improvements of infrastructure owned or used by a qualified land grant-merced on land under the jurisdiction of the Secretary concerned, including—

(A) construction or expansion of a community water or wastewater system;

(B) construction or major repair of a livestock well, water lines, water storage container, or water tank;

(C) construction or major repair of a monument or shrine;

(D) installation of a cattle guard;

(E) construction of a trail, road, or fence;

(F) construction or expansion of a cemetery; and

(G) any other major improvement associated with historical-traditional uses, as determined by the Secretaries concerned.

(4) **NOTICE AND COMMENT.**—Written guidance issued under subsection (a) shall set forth the policies and procedures for notice and comment on planning decisions, routine engagement, and major Federal actions that could impact historical-traditional uses of a qualified land grant merced, and methods of providing notice under subsection (a), including—

(A) online public notice;

(B) printed public notice;

(C) mail, including certified mail, and email notifications to governing bodies through a listserv; and

(D) mail, including certified mail, and email notifications to the Land Grant Council.

(c) **FEES FOR QUALIFIED LAND GRANT-MERCEDES.**—Where the Secretary concerned is authorized to consider the fiscal capacity of

the applicant in determining whether to reduce or waive a fee for a permit for historical-traditional uses, the Secretary shall consider—

(1) the socioeconomic conditions of community users; and

(2) the annual operating budgets of governing bodies of qualified land grant-mercedes.

#### **SEC. 4. CONSIDERATION OF HISTORICAL-TRADITIONAL USE IN LAND MANAGEMENT PLANNING.**

In developing, maintaining, and revising land management plans pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and section 6 of the National Forest Management Act (16 U.S.C. 1604), as applicable, the Secretary concerned shall, in accordance with applicable law, consider and, as appropriate, provide for and evaluate impacts to historical-traditional uses by qualified land grants-mercedes.

#### **SEC. 5. SAVINGS.**

Nothing in this Act shall be construed—

(1) to impact the State's authority to regulate water rights, in conformance with all State and Federal laws and regulations;

(2) to impact the State's authority to regulate the management of game and fish, in conformance with all State and Federal laws and regulations;

(3) to impact any valid existing rights or valid permitted uses, including grazing permits;

(4) to create any implicit or explicit right to grazing on Federal lands; or

(5) to alter or diminish any rights reserved for an Indian Tribe or members of an Indian Tribe by treaty or Federal law.

#### **AMENDING THE ALASKA NATIVE CLAIMS SETTLEMENT ACT**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 271, S. 2524.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2524) to amend the Alaska Native Claims Settlement Act to exclude certain payments to aged, blind, or disabled Alaska Natives or descendants of Alaska Natives from being used to determine eligibility for certain programs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2524) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2524

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. ELIGIBILITY FOR CERTAIN PROGRAMS.**

Section 29(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c)) is amended, in the undesignated matter following paragraph (3), by striking subparagraph (E) and inserting the following:

“(E) an interest in a Settlement Trust or an amount distributed from or benefit provided by a Settlement Trust to a Native or descendant of a Native who is an aged, blind, or disabled individual (as defined in section 1614(a) of the Social Security Act (42 U.S.C. 1382c(a))).”.

#### **FISSION FOR THE FUTURE ACT OF 2021**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 3428 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read, as follows:

A bill (S. 3428) to require the Secretary of Energy to establish a program to provide Federal financial assistance to support advanced nuclear reactors and associated supply chain infrastructure, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Manchin amendment at the desk be considered and agreed to and the bill, as amended, be read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 6627), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3428), as amended, was passed.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the amendment to the title be considered and agreed to and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The title amendment (No. 6628) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes.”.

#### **RICK BOUCHER AMPHITHEATER**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 3873 and the Senate

proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read, as follows:

A bill (S. 3873) to designate the outdoor amphitheater at the Blue Ridge Music Center in Galax, Virginia, as the “Rick Boucher Amphitheater.”

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3873) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3873

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DESIGNATION OF THE RICK BOUCHER AMPHITHEATER.**

(a) DESIGNATION.—The outdoor amphitheater at the Blue Ridge Music Center, located at 700 Foothills Road, Galax, Virginia, a facility within the Blue Ridge Parkway, which is a unit of the National Park System, shall be known and designated as the “Rick Boucher Amphitheater”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the outdoor amphitheater referred to in subsection (a) shall be deemed to be a reference to the “Rick Boucher Amphitheater”.

ORDERS FOR FRIDAY, DECEMBER 23, 2022, THROUGH TUESDAY, JANUARY 3, 2023

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that when the Senate completes its business today, it convene for a pro forma session only, with no business conducted, on the following dates and times: Friday, December 23, at 11 a.m.; Tuesday, December 27, at 5:30 p.m.; Friday, December 30, at 9:30 a.m.; and Tuesday, January 3, at 11:30 a.m.

Following the January 3 pro forma, the Senate will convene at 12 noon, pursuant to the Constitution; further, I ask that following the prayer and the pledge and following the presentation of certificates of election and the swearing-in of elected Members and the required live quorum, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. For the information of the Senate, on January 3, the swearing-in of our new and recently elected Senators will be at noon, followed by a live quorum.

ADJOURNMENT UNTIL 11 A.M.  
TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come be-

fore the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:06 p.m., adjourned until Friday, December 23, 2022, at 11 a.m.

**DISCHARGED NOMINATION**

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

TERRENCE EDWARDS, OF MARYLAND, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

**CONFIRMATIONS**

Executive nominations confirmed by the Senate December 22, 2022:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

REBECCA E. JONES GASTON, OF OREGON, TO BE COMMISSIONER ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF DEFENSE

FRANKLIN R. PARKER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

EXECUTIVE OFFICE OF THE PRESIDENT

DOUGLAS J. MCKALIP, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF AGRICULTURAL NEGOTIATOR, OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF DEFENSE

MILANCIY DANIELLE HARRIS, OF VIRGINIA, TO BE A DEPUTY UNDER SECRETARY OF DEFENSE.

DEPARTMENT OF AGRICULTURE

JOSE EMILIO ESTEBAN, OF CALIFORNIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FOOD SAFETY.

DEPARTMENT OF DEFENSE

TERRENCE EDWARDS, OF MARYLAND, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.